



# राजपत्र, हिमाचल प्रदेश

## हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

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29 अप्रैल, 2006/9 वंशाब्द, 1928 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तिया 'प्रसाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुई :

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या पर० (एपी-बी) डी (8)-4/2003, दिनांक 3 अप्रैल, 2006.	कार्मिक विभाग (निगुवित्त-II)	हिमाचल प्रदेश अधीनस्थ सेवाएं चयन बोर्ड, हमीरपुर के प्रक्रिया और संचालन (प्रथम संशोधन) नियम, 2006 इसके प्राधिकृत धरोजी पाठ सहित ।
संख्या जी० ए० डी० सी० (पी० ए०) 4-1/2003, दिनांक 20 अप्रैल, 2006	सामान्य प्रशासन विभाग (संसदीय कार्य विभाग)	हिमाचल प्रदेश मन्त्रियों के यात्रा भत्ता (संशोधन) नियम, 2006 इसके प्राधिकृत धरोजी पाठ सहित ।

## भाग-1—वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

## हिमाचल प्रदेश हाई कोर्ट

Shimla, the 9/10th March, 2006

## NOTIFICATIONS

Shimla, the 8/10th March, 2006

No. HHC/GAZ/14-69/76-IV-4820. —In exercise of the powers under Article 235 of the Constitution of India read with Rule 14 of the H. P. Judicial Service Rules, 2004 and all other powers enabling it in this behalf, the Hon'ble High Court is pleased to extend the superannuation age of Dr. J. N. Barowalia, a member of the H. P. Judicial Service in the cadre of District Judges, presently posted as Registrar (Rules), High Court of Himachal Pradesh, Shimla from 58 years to 60 years.

The officer will now retire on his attaining the age of 60 years.

BY ORDER OF THE HON'BLE  
HIGH COURT OF H. P.

Sd -

Registrar General.

Shimla, the 9/10th March, 2003

No. HHC/GAZ/14-182 87-I-4809. —Hon'ble the Chief Justice is pleased to grant *ex-post-facto* sanction of 11 days commuted leave w.e.f. 20-2-2006 to 2-3-2006 with permission to prefix special casual leave w.e.f. 6-2-2006 to 19-2-2006 in favour of Shri Rattan Singh, Civil Judge (Sr. Division)-cum-CJM. Shimla, H. P.

Certified that Shri Rattan Singh has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri Rattan Singh would have continued to hold the post of Civil Judge (Sr. Division)-cum-CJM. Shimla, H. P. but for his proceeding on leave for the above period.

Shimla, the 9/10th March, 2006

No. HHC/GAZ/14-131 82-III-4828. —Hon'ble the Chief Justice is pleased to grant 17 days earned leave w.e.f. 16-3-2006 to 1-4-2006 with permission to prefix gazetted holiday falling on 15-3-2006 and to suffix Sunday falling on 2-4-2006 in favour of Shri K. L. Sharma, District and Sessions Judge, Sirmour at Nahan.

Certified that Shri Sharma is likely to join the same post and at the same station from where he proceeds on leave, after expiry of the above period of leave.

Also certified that Shri Sharma would have continued to hold the post of District and Sessions Judge, Sirmour at Nahan, but for his proceeding on leave for the above period.

Shimla, the 9/10th March, 2006

No. HHC/GAZ/14-211 95-I-4801. —Hon'ble the Chief Justice is pleased to grant *ex-post-facto* sanction of 5 days earned leave w.e.f. 17-12-2005 to 21-12-2005 in favour of Shri S. K. Chaudhary, District and Sessions Judge, Bilaspur, H. P.

Certified that Shri Chaudhary has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri Chaudhary would have continued to hold the post of District and Sessions Judge, Bilaspur but for his proceeding on leave for the above period.

No. HHC/Admn. 6 (23)/74-XII-4839. —Hon'ble the Chief Justice in exercise of the powers vested in him under rule 1.26 of H. P. Financial Rules, 1971, Volume-I, is pleased to declare the Civil Judge (Sr. Division)-cum-CJM, Sirmour at Nahan as Drawing and Disbursing Officer in respect of the Courts of District and Sessions Judge and Additional District and Sessions Judge, Sirmour at Nahan and also the Controlling Officer for the purpose of T. A. etc. in respect of class-II, III and IV establishment attached to the aforesaid courts under Head "2014—Administration of Justice" during the leave period of Shri K. L. Sharma, District and Sessions Judge, Sirmour w.e.f. 16-3-2006 to 1-4-2006 with permission to prefix gazetted holiday falling on 15-3-2006 and to suffix Sunday falling on 2-4-2006 or until he returns from leave.

Shimla, the 10/13th March, 2006

No. HHC/GAZ/14-220/96-4914. —Hon'ble the Chief Justice is pleased to grant 15 days paternity leave w.e.f. 13-3-2006 to 27-3-2006 with permission to prefix Second Saturday and Sunday falling on 11th and 12th March, 2006 in favour of Shri Bhupesh Sharma, Civil Judge (Sr. Div.)-cum-ACJM, Sarkaghat, H. P.

Certified that Shri Sharma is likely to join the same post and at the same station from where he proceeds on leave, after expiry of the above period of leave.

Also certified that Shri Sharma would have continued to hold the post of Civil Judge (Sr. Division)-cum-ACJM, Sarkaghat, but for his proceeding on leave for the above period.

Shimla, the 10/13th March, 2006.

No. HHC/Admn. 6 (23)/74-XIII-4905. —Hon'ble the Chief Justice in exercise of the powers vested in him, under rule 1.26 of H. P. Financial Rules, 1971, Volume-I is pleased to declare the Civil Judge (Junior Division)-cum-SDJM, Jogindernagar as Drawing and Disbursing Officer in respect of the Court of Civil Judges (Senior Division)-cum-ACJM, Sarkaghat and also the Controlling Officer for the purpose of T. A. etc. in respect of Class-III and IV establishment attached to the aforesaid court under Head "2014—Administration of Justice" during the paternity leave period of Shri Bhupesh Sharma, Civil Judge (Sr. Division)-cum-ACJM, Sarkaghat w.e.f. 13-3-2006 to 27-3-2006 with permission to prefix Second Saturday and Sunday falling on 11th and 12th March, 2006 or until he returns from leave.

Shimla, the 16th March, 2006

No. HHC/Admn. 3(183)/82-II-4986. —5 days commuted leave on and with effect from 28-2-2006 to 4-3-2006 with permission to suffix Sunday falling on 5-3-2006 is hereby sanctioned, *ex-post-facto*, in favour of Shri Gopal Dass Sharma, Court Secretary of this Registry.

Certified that Shri Gopal Dass Sharma, Court Secretary has joined the same post and at the same station from where he had proceeded on leave after expiry of the above period.

Certified that Shri Gopal Dass Sharma would have continued to officiate the same post of Court Secretary but for his proceeding on leave.

Shimla, the 16th March, 2006

No. HHC/Admn. 3(45)/74-III-4992. —2 days commuted leave on and with effect from 7-3-2006 to 8-3-2006 is hereby sanctioned, *ex-post-facto* in favour of Shri D. R. Verma, Assistant Registrar of this Registry.



Certified that Shri D. R. Verma, Assistant Registrar, has joined the same post and at the same station from where he had proceeded on leave after expiry of the above leave period.

Certified that Shri D. R. Verma would have continued to hold the same post of Assistant Registrar but for his proceeding on leave.

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*Shimla, the 16th March, 2006*

No. HHC/Admn. 3(129)/78-1-4939.—5 days commuted leave on and with effect from 3-3-2006 to 7-3-2006 is hereby sanctioned, *ex-post-facto*, in favour of Shri K. L. Rawat, Court Secretary of this Registry.

Certified that Shri K. L. Rawat, Court Secretary has joined the same post and at the same station from where he had proceeded on leave after expiry of the above leave period.

Certified that Shri K. L. Rawat would have continued to hold the same post of Court Secretary but for his proceeding on leave.

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*Shimla, the 18th March, 2006*

No. HHC/GAZ/14-157/84-II-5123-32.—Hon'ble the Chief Justice is pleased to grant 24 days earned leave *w.e.f.* 20-3-2006 to 12-4-2006 with permission to prefix Sunday falling on 19-3-2006 and to Suffix Local holiday, Gazetted holidays and Sunday falling from 13th to 16th April, 2006 in favour of Shri A. C. Thalwal, Civil Judge (Sr. Div.)-*cum*-CJM, Bilaspur, H. P.

Certified that Shri Thalwal is likely to join the same post and at the same station from where he proceeds on leave after expiry of the above period of leave.

Also certified that Shri Thalwal would have continued to hold the post of Civil Judge (Sr. Division)-*cum*-CJM, Bilaspur, but for his proceeding on leave for the above period.

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*Shimla, the 18/20th March, 2006*

No. HHC/Admn. 6 (23)/74-XIII-5237.—Hon'ble the Chief Justice in exercise of the powers vested in him under rule 1.26 of H. P. Financial Rules, 1971, Volume-I, is pleased to declare the Civil Judge (Jr. Division)-*cum*-JMJC Bilaspur as Drawing and Disbursing Officer in respect of the Court of Civil Judge (Sr. Division)-*cum*-CJM, Bilaspur and also the Controlling Officer for the purpose of T. A. etc. in respect of Class-II, III and IV establishment attached to the aforesaid Court under head "2014—Administration of Justice" during the earned leave period of Shri A. C. Thalwal, Civil Judge (Sr. Division)-*cum*-CJM, Bilaspur with effect from 20-3-2006 to 12-4-2006 with permission to prefix Sunday falling on 19-3-2006 and to suffix local holiday, gazetted holidays and Sunday falling from 13th to 16th April, 2006 or until he returns from leave.

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*Shimla, the 18/20th March, 2006*

No. HHC/GAZ/14-134/82-III-5212.—Hon'ble the Chief Justice is pleased to grant *ex-post-facto* sanction of 4 days commuted leave *w.e.f.* 28-2-2006 to 3-3-2006 in favour of Shri Ravinder Parkash Verma, Addl. District and Session Judge, Una.

Certified that Shri Verma has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri Verma would have continued to hold the post of Addl. District and Sessions Judge, Una but for his proceeding on leave for the above period.

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*Shimla, the 18/20th March, 2006*

No. HHC/GAZ/14-257/2003-5219.—Hon'ble the Chief Justice is pleased to grant *ex-post-facto* sanction of

5 days earned leave *w.e.f.* 15-2-2006 to 19-2-2006 with permission to prefix special casual leave with effect from 23-1-2006 to 14-2-2006, in favour of Shri C. B. Barowalia, District and Sessions Judge, Kinnaur at Rampur Bushahr. This is in continuation of this Registry Notification of even number dated 7/9-1-2006.

Certified that Shri Barowalia has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri Barowalia would have continued to hold the post of District and Sessions Judge, Kinnaur at Rampur Bushahr but for his proceeding on leave for the above period.

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*Shimla, the 18th March, 2006*

No. HHC/GAZ/14-255/2002-5226.—Hon'ble the Chief Justice is pleased to order the cancellation of 2 days un-availed earned leave with effect from 5-3-2006 to 6-3-2006, already sanctioned *vide* this Registry notification of even number dated 1-3-2006 in favour of Smt. Kanta Verma Civil Judge (Jr. Division)-*cum*-JMJC (II) Mandi, H. P.

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*Shimla, the 18th/23rd March, 2006*

No. HHC/Admn. 16 (7) 74-III-5356.—Hon'ble the Chief Justice, in exercise of the powers vested in him u/s 139(b) of the Code of Civil Procedure, 1908, u/s 297(b) of the Code of Criminal Procedure, 1973 and Rule 4(v) of the H. P. Oath Commissioners (Appointment & Control) Rules, 1996 is pleased to appoint Shri Sher Singh, Advocate, Jawali, as Oath Commissioner at Jawali, H. P. for a period of two years with immediate effect, for administering oaths and affirmations on affidavits to the deponents, under the aforesaid Code and Rules.

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*Shimla, the 18th/23rd March, 2006*

No. HHC/Admn. 16 (9) 74-VI-5345.—Hon'ble the Chief Justice in exercise of the powers vested in him u/s 139 (b) of the Code of Civil Procedure, 1908, U/S 297 (b) of the code of Criminal Procedure, 1973 and Rule 4 (v) of the H. P. Oath Commissioners (Appointment & Control) Rules, 1996 is pleased to appoint Shri Prem Singh Advocate, Sundernagar, as Oath Commissioner at Sundernagar, H. P. for a period of two years, with immediate effect, for administering oaths and affirmations on affidavits to the deponents, under the aforesaid Codes and Rules.

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*Shimla, the 20th/23rd March, 2006*

No. HHC/GAZ/14-226 961-5 352.—Hon'ble the Chief Justice is pleased to order the cancellation of 3 days un-availed earned leave with effect from 2-3-2006 to 4-3-2006, already sanctioned *vide* this Registry notification of even number dated 23/24-1-2006 in favour of Shri R. K. Tomar, Civil Judge (Sr. Div.)-*cum*-JMJC (I), Kangra H. P.

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*Shimla, the 20th/23rd March, 2006*

No. HHC/GAZ 14-264/2003-5359.—In partial modification of this Registry Notification No. HHC/GAZ/14-264/2003-333-41, dated 3/4-1-2006, Hon'ble the Chief Justice is pleased to grant *ex-post-facto* sanction of 15 days earned leave with effect from 22-1-2006 to 5-2-2006 and 5 days commuted leave with effect from 6-2-2006 to 10-2-2006 with permission to suffix Second Saturday and Sunday fell on 11th & 12th February, 2006, in favour of Shri Rajinder Kumar, Civil Judge (Jr. Divn.)-*cum*-JMJC (II), Rohru.

Certified that Shri Rajinder Kumar has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri Rajinder Kumar would have continued to hold the post of Civil Judge (Jr. Divn.) cum-JMIC (II) Rohru, but for his proceeding on leave for the above period.

By order.

Sd/-  
Registrar General.

Shimla, the 22nd March, 2006

No. HHC/15-29/Jus./Accts. 2005-5385.—It is hereby notified that the Hon'ble Mr. Justice Vijay Kumar Jhanji has relinquished the charge of the office of the Judge, High Court of Himachal Pradesh in the forenoon of 22nd March, 2006 on attaining the age of superannuation.

By order.

Sd/-  
ARUNA KAPOOR,  
Registrar General.

हिमाचल प्रदेश सरकार  
PERSONNEL (A-D) DEPARTMENT  
NOTIFICATIONS

Shimla-2, the 13th January, 2006

No. 3-13/71-DP-Apptt.-Vol-III.—The Governor, Himachal Pradesh, is pleased to order that Smt. Sarita Prasad, IAS (HP : 69), shall retire from Government service on 31-8-2006 (A.N.) on attaining the age of superannuation.

Shimla-2, the 17th January, 2006

No. Per. (AP)AB(3)-16-2000.—The Governor, Himachal Pradesh, is pleased to order that Shri C. R. B. Lalit, IAS (HP : 94), shall retire from Government service on 31-12-2006 (A.N.) on attaining the age of superannuation.

Shimla-2, the 17th January, 2006

No. 3-28/72-DP-Apptt.-Vol-IV.—The Governor, Himachal Pradesh, is pleased to order that Shri Prem Singh Rana, IAS (HP : 70), shall retire from Government service on 30-6-2005 (A.N.) on attaining the age of superannuation.

By order.

Sd/-  
Chief Secretary.

Shimla-2, the 20th January, 2006

No. 1-15/73-DP-Apptt. (2006).—The Governor, Himachal Pradesh is pleased to order the transfers and postings of the following IAS officers, with immediate effect, in the public interest:—

1. Shri Rakesh Kaushal, IAS (HP : 91) presently Director of Land Records as Director of Rural Development and Panchayati Raj-cum-Ex-Officio Special Secretary (RD and PR) to the Government of Himachal Pradesh, Shimla.
2. Shri J. P. Singh, IAS (HP : 91) presently Director of Rural Development and Panchayati Raj-cum-Ex-Officio Special Secretary (RD & PR) to the Government of Himachal Pradesh as Secretary, Himachal Pradesh Public Service Commission, Shimla.

3. Shri B. R. Verma, IAS (HP : 96) Settlement Officer, Shimla Division, Shimla shall also hold the additional charge of the post of Director of Land Records, Himachal Pradesh Shimla till further orders.

The Governor, Himachal Pradesh is further pleased to cancel the transfer of Shri Kashmir Chand, IAS, (H P : 90) Labour Commissioner-cum-Director of Employment, Himachal Pradesh Shimla as Secretary, Himachal Pradesh Public Service Commission, Shimla and orders of giving additional charge of Labour Commissioner-cum-Director of Employment, Himachal Pradesh Shimla to Shri R. D. Dhiman, IAS Registrar Co-operative Societies, Himachal Pradesh, Shimla ordered vide this department's Notification of even number dated 22-12-2005.

Shimla-2 the 30th January, 2006

No. 3-9-74-DP-Apptt.-III.—Consequent upon his appointment as Chairman of Himachal Pradesh Electricity Regulatory Commission, Shimla, the Governor, Himachal Pradesh is pleased to order the retirement of Shri Yogesh Khanna, IAS (HP : 73) Additional Chief Secretary (Finance) to the Government of Himachal Pradesh, Shimla, from Government service at his own request with effect from 30th January, 2006 (A.N.), also waiving of the requisite notice of three months' period for such retirement from service, in order to enable him to take up the appointment as Chairman in the said Electricity Regulatory Commission, in pursuance of Rule 16(2) of All India Services (DCRB) Rules, 1958 and the proviso of the aforesaid rule provided thereunder.

By order,

S. S. PARMAR,  
Chief Secretary.

AGRICULTURE DEPARTMENT  
NOTIFICATIONS

Shimla-171002, the 7th January, 2006

No. Agr. B(2) 8/2005.—On the recommendation of the Departmental Promotion Committee and in consultation with Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh is pleased to order the promotion of Shri Ashwani Kumar, Junior Engineer as Assistant Soil Conservation Officer (Engg.) (Class-II, Gazetted) in the pay scale of Rs. 7220—11660 on *ad hoc* basis with immediate effect.

2. These promotion will be subject to final decision of the Hon'ble Himachal Pradesh State Administrative Tribunal in OA No. 1771/2000 and Writ Petition (Civil) No. 61/2002 titled M. Nagaraj and Ors. Vs. Union of India and Ors. and Writ Petition (Civil) No. 295/2002—titled Devi Ram Tanwar and Ors. Vs. Union of India and Ors. in the Hon'ble Supreme Court of India.

3. The promotee will have no claim for seniority, confirmation and further promotion etc.

4. The Governor, Himachal Pradesh is further pleased to post Shri Ashwani Kumar, ASCO (Engg.) at Directorate of Agriculture against vacant post.

Shimla-171002, the 7th January, 2006

No. Agr. B-(2)-2/2005.—On the recommendation of the Departmental Promotion Committee and in consultation with the H. P. Public Service Commission, the Governor, Himachal Pradesh is pleased to order

the promotion of the following Junior Engineers as Divisional Soil Conservation Officer (Class-I Gazetted) in pay scale Rs. 7220—11660 on *ad hoc* basis with immediate effect :—

1. Shri Updesh Singh
2. Shri Ramesh Kumar
3. Shri Pardeep Behal
4. Shri Daljeet Kumar Awasthi

2. These promotions will be subject to the final decision of the Hon'ble Himachal Pradesh State Administrative Tribunal in OA No. 1771/2000 and writ Petition (Civil) No. 61/2002 titled M. Nagaraj and Ors. Vs. Union of India and Ors. and Writ Petition (Civil) No. 295/2002—titled Devi Ram Tanwar and Ors. Vs. Union of India and Ors. in the Hon'ble Supreme Court of India.

3. The promotees will have no claim for seniority, confirmation and further promotion etc.

4. The posting orders of the above officers are being issued separately.

Shimla-171 002, the 19th January, 2006

No. Agr. B (2) 6 99-II.—In pursuance to Department of Personnel's instructions issued vide letter No. Per.(AP) C-F (1) 1/2002 dated 24-10-2002 and on the recommendation of the Departmental Promotion Committee, the Governor, Himachal Pradesh is pleased to order the promotion of Shri Sunder Lal Yadav Superintendent Grade-II to the post of Superintendent Grade-I (Class-II, Gazetted) in the pay scale of Rs. 7720-220-8100-275-10300-340-11660 purely on *ad hoc* basis with immediate effect.

The above *ad hoc* promotion will not confer any right upon the Officer for regular promotion, continuation and seniority etc. against the post of Superintendent Grade-I. The promotion will however be subject to the final outcome in the Writ petition (Civil) No. 61/2002 titled M. Nagaraj and Ors. Vs. Union of India and Ors. and writ petition (Civil) No. 25/2002 titled Devi Ram Tanwar and Ors. Vs. Union of India and Ors. pending in the Hon'ble Supreme Court of India.

The Governor, Himachal Pradesh is further pleased to order the posting of the above Officer on his promotion from the Office of DDA, Mandi to the office of Addl. Director of Agriculture, Dharamshala against a vacant post with immediate effect.

The above Officer is directed to join his new place of posting immediately and send joining report to this Department within 15 days positively failing which his promotion will be forfeited.

Shimla-171 002, the 30th January, 2006

No. AGR. B (2) 2 2005.—In continuation to this Department Notification of even No. dated 7-1-2006, the Governor, Himachal Pradesh is pleased to order the posting and transfer of the following Sub-Divisional Soil Conservation Officers of Agriculture Department to the stations shown against their names with immediate effect in the public interest :—

Sl. No.	Name of officers	From	To
1	2	3	4
1.	S/Shri Updesh Singh, SDSCO.	Hamirpur	Una vice Shri Keshav Chauhan SDSCO.

1	2	3	4
2.	Keshav Singh, Chauhan SDSCO.	Una	Bhatiyat (Chamba) as SMS against vacancy.
3.	Ramesh Kumar, SDSCO.	SAMETI Mashobra,	Paonta (Sirmaur vice Shri Susheel Kumar, SDSCO.
4.	Susheel Kumar, SDSCO.	Paonta	Shillai as SMS against vacancy.
5.	Pardeep Behal, SDSCO.	Mandi	Hamirpur as SDSCO against vacant post.
6.	Daljeet Kumar, Awasthi, SDSCO.	Palampur,	Mandias SDSCO vice Shri S. C. Soni.
7.	S. C. Soni, SDSCO.	Mandi	Mehla (Chamba) as SMS against vacant post.

Shimla-171 002, the 8th February, 2006

No. Agr. F (19)-8/99.—In order to accelerate the productivity level of Agriculture produce in the State, the Governor of Himachal Pradesh is pleased to constitute a Task Force consisting of the following :—

1. The Secretary (Agr.) to the Government of Himachal Pradesh, Shimla-171002. *Convener*
2. The Private Secretary (Horticulture) to the Government of Himachal Pradesh. *Member*
3. The Vice Chancellor, CSK HPKV, Palampur. *Member*
4. The Vice Chancellor, Dr. Y. S. Parmar University of Horticulture & Forestry Nauni, District Solan. *Member*
5. The Engineer-in-Chief (IPH), Himachal Pradesh, Shimla-1. *Member*
6. The Director of Himachal Pradesh State Seed and Organic Produce Certification Agency, Himachal Pradesh Shimla-5. *Member*
7. Director of Horticulture, Himachal Pradesh Shimla-171 002. *Member*
8. The Director of Agriculture, Himachal Pradesh, Shimla-5. *Member-Secretary.*

#### Terms of Reference for Task Force :

1. To analyze the last crop-wise trends in productivity in the agriculture/ horticulture sector in Himachal Pradesh, in terms of land holding groups and irrigation availability, quality of inputs used and marketing linkages.
2. To identify specifically the crops that require focused attention to enhance their productivity and the multipronged interventions required to facilitate enhancement in productivity in these specific crops.
3. To identify "best practice" in the State and examine the feasibility of repling these across the suitable agro-climates.
4. To review reports prepared at either All India or at State Government level and cull out specific recommendations made earlier to enhance productivity in the agriculture/horticulture sector

and also examine their relevance and applicability in Himachal Pradesh.

5. To consider the possibility of changing cropping patterns and shifting to more high value products (e. g. vanilla cultivation).

The Task Force shall meet quarterly or at such interval as the convener may direct.

The Task Force will submit its report by 31st July, 2006.

Shimla-2, the 9th February, 2006

No. Agr.B(8)-6/2004—The Governor, Himachal Pradesh is pleased to order the transfer of Shri Rajesh Kumar Sood, ADO from SMF Badiarkhar to Soil Conservation Section Baijnath against vacancy, with immediate effect.

Shimla-2, the 9th February, 2006

No. Agr.B(15)-1 2003—The Governor, Himachal Pradesh is pleased to repatriate Shri R. K. Soni, Assistant Agriculture Marketing Officer on secondment basis with the Policy Analysis & Planning Unit, H. P. Forest Sector Project to his parent Department i.e. Agriculture Department with immediate effect.

The Governor, Himachal Pradesh on his repatriation is further pleased to post Shri R. K. Soni, Assistant Agriculture Marketing Officer in the Directorate of Agriculture.

The above officer is directed to report for duty at the new place of his posting immediately and send joining report to this Department.

Shimla-2, the 7th March 2006

No. Agr. B(5)-2 2003-1. The Governor Himachal Pradesh is pleased to order the transfer of Shri Karam Chand Jaswal, SMS from Paonta Sahib, District Sirmour to Rohru, District Shimla as SMS against vacant post, with immediate effect in the public interest.

Shri Karam Chand Jaswal, SMS is directed to report for duty at his new place of posting and send the joining report to this Department.

By order,

Sd/-  
Secretary.

सूक्त निर्माण विभाग

अधिमृचना

यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रशासन हेतु नामांकित भूमि अधिनियम की आवश्यकता है। यद्यपि यह अधिनियम कदाचित् कि उक्त अधिनियम के अन्तर्गत विवरणी व निर्दिष्ट किया गया है, उपरान्त प्रयोजन के लिए भूमि का अधिनियम अधिनियम है।

2. यह अधिमृचना ऐसे मन्त्री अधिनियमों को, जो इनमें सम्मिलित हो सकत हैं, की आवश्यकता के लिए अनुपस्थित अधिनियम, 1894 की धारा-4 के उपबन्धों के अधिनियम जारी की जाती है।

3. उपर्युक्त धारा द्वारा प्रस्तुत अधिनियमों का प्रयोग करने हेतु राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत मन्त्री अधिकाधिक, उनके कार्यवाहियों और अधिकांश को इसकी की कक्षाओं धूमि में प्रवेश करने और सम्मिलन करने तथा इस धारा द्वारा अधिनियम

अथवा अनुमत व्यय सभी कार्यों को करने के लिए सक्षम प्राधिकार देने हैं।

4. कोई भी हितवश व्यक्ति, जिसे उक्त अधिनियम में कथित भूमि के अर्जन पर कोई बाधा है, तो वह इस अधिमृचना के प्रकाशन होने के तिस (30) दिन की अवधि के भीतर लिखित रूप में अनुपस्थित समाह्वय, लोक निर्माण विभाग, मन्त्री के कार्यालय में दायर कर सकत है।

\*गोबिंद रोहड़ी, संगराना, सायर, सहयोगी सदर, जिला बिलासपुर में रात्री-कोटला सड़क चौड़ा करने हेतु।

संख्या पी० बी० २२५० बी० ए० (7) 1-9/2006.

शिमला-2, 17 अप्रैल, 2006

विवरण		सहयोगी : सदर	
जिला : बिलासपुर	खग्रा सं०	क्षेत्र	(बीघा बिघ्या)
गांव			
1	2	3	4
गोडी	195/191/155/1	0	1
	164/13/1	0	1
	149/16/1	0	6
	168/19/1	1	1
	21/1	0	17
	24/1	0	3
	31/1	0	6
	174/32/2	0	13
	33/1	0	12
	200/37/1	0	4
	179/40	0	3
	180/40	0	10
	182/41/1	0	17
	184/41/1	4	11
	187/43/2	0	9
किता .. 15		10	14
संगराना	38/1	0	2
	42/1	0	1
	123/43	0	2
	125/44/1	0	13
किता .. 4		0	18
सायर	588/522	1	1
	591/523	1	3
किता .. 2		2	4

\*गोबिंद रोहड़ी, संगराना, सायर, सहयोगी सदर, जिला बिलासपुर में रात्री-कोटला सड़क चौड़ा करने हेतु।

संख्या पी० बी० २२५० बी० ए० (7) 1-9/2006.

शिमला-2, 18 अप्रैल, 2006

रोहड़ी	115/3/1	0	2
	119/114	1	1
	120/114/1	0	2
	122/4/1	0	11
	124/5/1	0	12
	125/7	0	12
	127/7	0	9
	128/7	1	3
	129/7	1	4
	131/9	0	6

1	2	3	4
	133/117/1	0	3
	135/11/1	1	3
	136/11/1	0	8
	138/41/1	0	18
	143/42/1	0	6
	144/42/2	1	8
	148/101/1	0	8
	148/101/2	0	1
	149/101/1	1	4
किला	19	12	1
मलवाड़	322/269/1	0	3
	324/269/1	0	7
	290/280/2	0	6
	290/280/3	1	10
	335/331	1	8
	318/73/1	1	5
	320/75/1	1	2

1	2	3	4
	333/74	0	15
किला	8	6	16
करोट	438/1	0	2
	451/1	0	1
	611/458/1	0	1
	613/457/1	0	1
	459/1	0	5
	460	0	2
	602/554	0	3
किला	7	0	15

आदेश द्वारा,

हस्ताक्षरित/-  
प्रधान मन्त्रि

**भाग-2—वैधानिक नियमों को छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा जघिस्तुचनाएं इत्यादि**

Office of the General Manager, District Industries  
Centre Hamirpur (H. P.)

property described in the attached schedule is liable  
for the satisfaction of the said debt.

**DECLARATION UNDER SECTION 24 OF THE ACT**

Hamirpur, the 3rd March, 2006

**SCHEDULE**

All assets present and to be hereinafter acquired by  
by the loanee, whether the said assets are present or in  
future in his name including book debts, stocks shares  
premises and machinery and purchased with the aid on  
loan or a part thereof and any other personal security  
of the loanee.

**SURITIES**

1. Shri Sant Ram s/o Shri Ajudiya Dass, Vill. palpar,  
P. O. Nagrota Gazian, Teh. Bhoranj ((Hamirpur).
2. Shri Bansi Lal s/o Shri Naudha Ram, Vill. and  
P. O. Chandruhi, Teh. Bhoranj, Distt. Hamirpur.

Hamirpur, the 3rd March, 2006

**SCHEDULE**

All assets present and to be hereinafter acquired by the  
loanee, whether the said assets are present or in future  
in his name including books debts, stocks shares premi-  
ses and machinery and purchased with the aid on loan  
or a part thereof and any other personal security of the  
loanee.

**SURITIES**

1. Shri Anant Ram s/o Shri Heera, Vill. & P. O.  
Mundkhar, Teh. Bhoranj, Distt. Hamirpur (H. P.).
2. Shri Harnam Singh s/o Shri Nathu Ram, Vill. &  
P. O. Mundkhar, Teh. Bhoranj, Distt. Hamirpur  
(H.P.).

Hamirpur, the 3rd March, 2006

No. Udyog/HMR/DIC/M.M.-Loan/1992/4183.—Whereas  
a notice was served to Shri Kali Dass Sharma s/o Shri  
Bansi Lal Sharma Vill. & P.O. Jhau Kadan, Teh. Bhoranj  
(Hamirpur) on 23-12-2005 under section 23 of H. P.  
State Aid to Industries Act, 1971 as modified and  
applied to Himachal Pradesh calling upon said Shri Kali  
Dass Sharma s/o Shri Bansi Lal Sharma to pay to me  
the sum of Rs. 11500.00 as principal and Rs. 28210.00 as  
interest on or before the 31-1-2006 and whereas the said  
sum has not been paid, I hereby declare that the sum  
of Rs. 11500.00 as principal and Rs. 28210.00 as interest  
total amount is 39710.00 due from the said Shri Kali  
Dass Sharma s/o Shri Bansi Lal Sharma and that the

No. Udyog/HMR/DIC/M.M.-Loan/2044/4188. Where-  
as a notice was served to Shri Ravinder Kumar s/o  
Shri Jagdish Chand, Vill. Patta Blokhar, P. O. Patta,  
Teh. Bhoranj on the 27-7-2005 under section  
23 of H. P. State Aid to Industries Act, 1971 as  
modified and applied to Himachal Pradesh calling upon  
the said Shri Ravinder Kumar s/o Shri Jagdish Chand to  
pay to me the sum of Rs. 3000.00 as principal and  
Rs. 8693.00 as interest on or before the 29-8-2005 and  
whereas the said sum has not been paid, I hereby  
declare that the sum of Rs. 3000.00 (Three Thousand)  
as principal and Rs. Eight thousand six hundred ninety  
three as interest total amount of Rs. 11693.00 due  
from said Shri Ravinder Kumar s/o Shri Jagdish Chand  
and that the property described in the attached schedule  
is liable for the satisfaction of the said debt.

**SCHEDULE**

All assets present and to be hereinafter acquired by  
the loanee, whether the said assets are present or in  
future in his name including books debts, stocks shares  
premises and machinery and purchased with the aid on  
loan or a part thereof and any other personal security  
of the loanee.

**SURITIES**

1. Shri Baldev Singh s/o Shri Jai Singh, Vill. & P. O.  
Aghar, Teh. & Distt. Hamirpur.
2. Shri Ghasitu Ram s/o Shri Lachhman, Vill. Bhagot,  
P.O. Pnaded, Teh. Bhoranj, Hamirpur.

Hamirpur, the 3rd March. 2006

## SCHEDULE

No. Udyog./HMR/DIC/M.M.-Loan/1995/.—Where as a notice was served to Shri Parkash Chand s/o Shri Khiali Ram, Vill. Ghumarwin, P. O. Lagmanwin, Teh. Bhoranj (Hamirpur) on 23-12-2005 under section 23 of H. P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Parkash Chand s/o Shri Khiali Ram to pay to me the sum of Rs. 24900.00 as principal and Rs. 23125.00 as interest on or before the 31-1-2006 and whereas the said sum has not been paid, I, hereby declare that the sum of Rs. 24900.00 as principal and Rs. 23125.00 as interest total amount is Rs. 48025.00 due from said Shri Parkash Chand s/o Shri Khiali Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

All assets present and to be hereinafter acquired by the loanee, whether the said assets are present or in future in his name including book debts, stocks shares premises and machinery and purchased with the aid on loan or a part thereof and any other personal securities of the loanee.

## SURITIES

1. Sh. Kanshi Ram s/o Sh. Jagat Ram, Vill. & P.O. Lambloo, Teh. Bhoranj, Distt. Hamirpur.
2. Sh. Jundu Ram s/o Sh. Khannu Ram, Vill. Jhambar, P. O. Dera, Prol Teh. Bhoranj, Distt. Hamirpur.

Sd/-

General Manager,  
District Industries Centre,  
Hamirpur, Distt. Hamirpur (H.P.).

Office of the District Collector, Kangra District at Dharamshala, Himachal Pradesh

## NOTIFICATION

Dharamshala, the 17th March, 2006

No. FDS-KGR/SKO-05/-2375 86.—Consequent upon the temporary suspension of the supplies of M/s Shaheed Kushal Singh & Brother, an authorised Kerosene Wholesale Dealer by the I.O.C. Ltd., and in partial modification of previous notification vide No. 5193-5210 dated 3-9-2005, issued in this behalf and also in exercise of the powers vested in me under sub-clause: d (i) of clause 2 of the Kerosene (Restriction on Use and Fixation of Ceiling Price) Order, 1993, I Bharat Khera, I.A.S., District Collector, Kangra District at Dharamshala, Himachal Pradesh do hereby fix the maximum wholesale and retail sale declared price of Superior Kerosene Oil to be distributed under Public Distribution System as defined in Clause 2(j) of *ibid* Order, including all taxes, transportation and wholesale and retail sale commission. Mentioned against each Fair Price Shops/authorised kerosene retail out-lets, functioning in District Kangra, as under:—

Sl. No.	Name of FPS	No. of Consumer Cards	Quantity Allotted	Wholesale Rate	Retail Rate
1	2	3	4	5	6
M/s. Nand Lal & Co. Nagrota Bagwan : Basic Rate: 8209.00 Per Kl.					
1.	CAS, Sanghole	264	1540	Rs. P. 8813.00	Rs. P. 9.05
	CAS, Karanghat	308	1540		
	CAS, Jaisinghpur	450	3000		
	Shri Pertap Chand, D/H. Dallu	234	880		
	CAS, Haler	454	2000		
	CAS, Eastern Chadhiar	123	880		
	CAS, Dhaneri Harsi	588	2160		
			12,000		
2.	Shri Subhash, D/H. Tinbarh	142	880	8783.00	9.03
	CAS, Majehara	306	1760		
	CAS, Dagoh	798	1320		
	Shri Sansar Chand, Kathon	188	1120		
	CAS, Tumbur Jhamun	369	1760		
	CAS, Uttarapur	121	880		
	CAS, Harot,				
	Through CSA, Karanghat	276	880		
	Sub Depot, Tikkari	147	880		
	CAS, Molag	143	980	8818.00	9.06
	CAS, Sari	139	880		
	Smt. Anuji Kr. Upper Ther	96	660		
			12,000		
3.	HPSCSC, Sansai	409	2000	8813.00	9.05
	DH, Simbal	193	1100		
	DH, Kothi Sansai	279	1320		
	DH, Samletar	170	1000		
	HPSCSC, R/s Chadhiar	608	2000		
	CAS, Bahi	551	2000		
	Shri Krishan Kr. Chobu		440		
	TMS, R/s, Maranda	553	2140		
			12,000		

1	2	3	4	5	6
				Rs. P.	Rs. P.
4.	TMS. Daroh	906	3000	8813.00	9.05
	Shri Varinder, D/H. Daroh	83	440		
	Shri Satish, D/H. Daroh	44	220		
	Shri Kishori Lal, D/H. Sihotu	215	660		
	CAS, Mundi	351	660		
	CAS, Garh Khās	292	660		
	Shri Saroop D/H. Garh Jamoola	232	880		
	CAS, Rora	243	1540		
	Shri Kishor Chand, Bari	275	420		
	CAS, Garh Talinoo	348	1760		
	CAS, Haldara	345	1760		
			12,000		
5.	Smt. Indu, D/H. Bachhwai	126	660	8813.00	9.05
	CAS, Gharana	274	1000		
	CAS, Bulota	267	880		
	CAS, Marhoon	430	880		
	CAS, Bharanta	264	1500		
	Shri Bakhshi, D/H. Thural	238	1760		
	Shri Bhoomi, D/H. Sanooh	197	1320		
	Shri Pritam, D/H. B. Ghatta	269	1540		
	HPSCSC, R/S, Thural	678	2460		
			12000		
6.	CAS, Charkhola	134	440	8696.00	8.94
	CAS, Darang	229	880		
	CAS, Mahadev	270	1760	8766.00	9.00
	CAS, Kharot	514	2000		
	CAS, Tanda Balha	210	1380		
	CAS, Panaper Kholi	299	1320		
	CAS, Bhadrol	158	1100		
	Sub Depot, Dai	139	880		
	CAS Naura	369	2240		
			12,000		
<b>M/s Kaundal Kerosene Agency :</b>					
<b>Basic Rate : Rs. 8249.00 Per Kl.</b>					
1.	CAS, Arla	457	2000	8633.00	8.90
	CAS, Saloh	430	2000		
	CAS Garla Dai	312	1380		
	CAS, Bhaddel Devi	372	1540		
	CAS, Hainja	135	440		
	Shri Ramesh, D/H. Badain	283	440		
	Shri Balbir, D/H Boda	227	660		
	Shri Ashwani, D/H. Garla Dai	62	220		
	CAS, Sulaha	498	2000		
	CAS, Dehan	158	660		
	Co-op. Consumer Store, Bari	249	660		
			12,000		
2.	CAS, Bhattu Samula	327	1000	8753.00	9.00
	Smt. Simro Devi, D/H, Sallan	268	1000		
	M/s RCNK, Jassun	225	1000		
	CAS, Kakrain	236	1000		
	Shri Rakesh, D/H. Pantehar	92	440		
	CAS, Nanawan	288	880		
	CAS, Kural	204	440		
	Shri Gian Chand, D/H. Kural	152	440		
	CAS, Jassun Samula	260	1000		
	CAS, Parore	381	1000		
	CAS, Gaggal	249	880		
	Shri Goverdhan, D/H. Bhawarna	269	920		
	CAS, Upper Bhawarna	689	2000		
			12,000		
<b>M/s Dayaloo Mull Gian Chand, Kangra :</b>					
<b>Basic Rate : Rs. 8194.00 Per Kl.</b>					
1.	CAS, Rit	391	2000	8853.00	9.10
	M/s RK Bros. Kotlu	217	880		
	CAS, Lahari	218	1540		
	Shri Madan Lal, D/H, Talwar	125	220		
	Shri Dharam S, D/H, J. Devi	368	2000		
	CAS, Tikkari Ghumarnu	409	2000		



1	2	3	4	5	6
				Rs. P.	Rs. P.
	Shri Arjun Dass, D/H, Kutahan	199	1000		
	CAS, Lahat	230	1100		
	CAS, Har	396	1260		
			12,000		
2.	CAS, Alampur	312	2000	8798.00	9.05
	Shri Saruti, D/H, Alampur	164	860		
	Sub Depot, Kagain	99	220		
	Shri Nirmal Kumar	161	1320		
	Shri Kuldeep Kr. Andrana	102	660		
	CAS, Gandder	499	1320		
	CAS, Chhanchhari	506	1760		
	CAS, Punner	307	880		
	M/s Vikas Store, D/H, Khaira	345	1120		
	CAS, Upper Khaira	502	1860		
			12,000		
3.	Shri Karam Singh, D/H, Malag	78	440	8759.00	9.00
	CAS, Khural	239	880		
	CAS, Bhoda	129	880		
	CAS, Sai Gadiara	92	440		
	CAS, Garh Kodara	292	880		
	Shri Onker, D/H, Bhawarna	340	1320		
	CAS, Bari Baryam		440		
	CAS, Bandahu	232	1100		
	CAS, Paplaha	100	520		
	Shri Arvind, DH, Balakrupi	536	2100		
	CAS, Dhar Chharotarian	512	3000		
			12,000		
4.	CAS, Matehar	275	1320	8759.00	9.00
	CAS, Dheera	334	880		
	Shri Harnam, D/H, Panyali	156	1100		
	Shri Chanda Singh, D/H, Chowki	224	1100		
	CAS, Kahanpatt	242	880		
	CAS, Rajhoon Pira	183	1100		
	Sub Depot, Chambi Rajhoon	215	660		
	CAS, Cadiara, Rajhoon	329	1540	8689.00	8.93
	CAS, Behal	316	980		
	CAS, Toru	125	440	8759.00	9.00
	CAS, Purba	420	2000		
			12,000		
5.	Shri Sadhu Ram, Dadh	691	3000	8853.00	9.10
	CAS, Kosari	276	1620		
	Shri Dharam Singh, D/H, Dehru	167	660		
	Sub Depot, Ropari	161	1100		
	Shri Des Raj, D/H, Suar	82	440		
	Sub Depot, Suan	95	660		
	CAS, Daraman	241	1540		
	CAS, Tatrora	305	1760		
			12,000		
6.	HPSCSC, R/S, Thural	678	2000	8798.00	9.05
	Shri Arvind, D/H, Balakrupi	536	3000		
	CAS, Kuhan	396	2640		
	CAS, Duhak	185	1100		
	Shri Devi Singh, D/H, Kona	216	1760		
	CAS, Kiarwan	208	1200		
			12,000		

## TERMS &amp; CONDITIONS:

- Every wholesale and Retail Sale Dealer will adhere to the provisions of H.P. Specified Articles (Regulation of supplies & Distribution) Order, 2003 and the terms & conditions of the authorisation issued thereunder by the District Controller, Food Civil Supplies & Consumer Affairs, Kangra at Dharamshala and also the provisions of Kerosene Oil (Restriction on use & Fixation of Ceiling Price) Order, 1993 as well as of the H.P. Hoarding & Profiteering Prevention Order, 1977.
- Every wholesale Dealer of Kerosene Oil (SKO) and the Designated Inspectors/Circle Inspectors of Department of Food, Civil Supplies & Consumer Affairs, Kangra at Dharamshala will adhere to the

Delivered System of Kerosene Oil, issued by the Director, FCS & CA, H.P. vide letter No. FDS. H. (F) (4)-1/93-II-15944-55, dated 24-5-1996.

3. No wholesale dealer will deviate the quantity of kerosene oil fixed under this Notification and mentioned each Fair Price Shop/Authorised Retail Outlet except with the written instruction to be issued by the DC, FCS & CA, Kangra at Dharamshala and in accordance with the directions of the Director, FCS & CA, H.P. vide his letter No. FDS, H(F)(4) 20/94-II-26960-71, dated 11-12-2003. However District Controller, FCS & CA, Kangra at Dharamshala is empowered to increase/decrease the quota of kerosene oil of any Fair Price Shop/Authorised Kerosene Retailer or to issue additional quantity of kerosene to any Fair Price Shop Holder keeping in view the number of ration cards attached with that FPS and the entitlement of monthly quota as per quantum fixed by the Director, FCS & CA, H.P.
4. The District Controller, Food, Civil Supplies & Consumer Affairs, Kangra at Dharamshala will fix the monthly quota of newly opened Fair Price Shops and shall also revise the quota of existing Fair Price Shops, keeping in view the addition and deletion of ration card/PDS Permits and the prescribed scale of distribution to the consumers. However the whole sale and retail sale rates will be applicable for newly opened Fair Price Shops as per these rates, fixed above, for the adjoining Fair Price Shop.
5. The retail sale dealer will issue kerosene only to the consumers on ration cards/authorised documents, issued by the competent authority, and on the scale/quantum, as fixed by the Director, FCS & CA, H.P., Shimla from time to time.
6. Every Wholesale Dealer shall intimate increase or decrease in the oil company Depot rates (Basic Rate) at once to the office of the District Controller, FCS & CS, Kangra at Dharamshala and shall increase or decrease his wholesale rate, applicable to the authorised Fair Price Shops Holders, as the case may be, equal to the increase or decrease in the oil Company Depot Rate (Basic rate) with out awaiting for new notification.
7. No SKO Wholesaler shall unless or otherwise directed by the District Controller, FCS & CA, Kangra at Dharamshala shall refuse to distribute or supply SKO to any authorised retailer on any working day after sun rise and before sun set. However No Kerosene Wholesale Dealer or the authorised retailers shall deliver/distribute/sell Kerosene Oil before sun rise and after sun set.
8. Every SKO wholesale Dealer shall take all reasonable steps to lift total monthly allotment of SKO up to 25th of every month and shall also ensure that sufficient stocks of SKO are available his place storage at all times. Any deviation will amount to non compliance of directions and shall attract the provisions of H.P. Specified Articles (Regulation of Distribution) Order, 2003.
9. No consumer shall have in his possession at any one time the quantity of SKO exceeding the maximum monthly fixed quantum, quoted here under and drawn against Consumer Card.
  - (i) Consumer having DBC = Nil.
  - (ii) Consumer having SBC = 3 Liters in a month.
  - (iii) Consumer having no LPG connection = 20 Liters in a month.
10. No authorised retailer/Fair Price Shop Holder shall sell or offer for sale to any Consumer Card Holder in one transaction a quantity of SKO exceeding the maximum monthly quantum as fixed by the Government or the Director, FCS & CA, H.P. from time to time.

This Notification will come into force with immediate effect and shall remain operative during suspension period of the authorisation of M/s Shaheed Kushal Singh & Brothers; Kerosene Wholesale Dealer, Dharamshala.

BHARAT KHERA,  
District Collector,  
District Kangra at Dharamshala,  
District Magistrate, Kangra.

कार्यालय सहायक पञ्जीयक सहकारी सभाएं शिमला  
जिला शिमला, हिमाचल प्रदेश

कार्यालय आदेश

शिमला, 28 मार्च, 2006

मं०-1002.—यह कि निरीक्षक सहकारी सभाएं शिमला (शहरी) ने इस कार्यालय को सूचित किया है कि दि प्रयोगा महिला हस्तशिल्प एवं हथकरघा सहकारी सभा सी०, बूटेल बिल्डिंग लोअर बाजार, शिमला-1 में गत कई वर्षों से न तो कोई कार्य कर रही है और न ही सभा की प्रबन्ध कमेटी का कोई वर्षों से नियमानुसार चुनाव द्वारा गठन किया गया है। सभा बिल्कुल निष्क्रिय हो चुकी है तथा उन उद्देश्य की पूर्ति नहीं हो रही है जिसके लिए सभा का गठन किया गया था। सभा केवल नाम मात्र कागजों तक ही सीमित हो कर रह गई है।

यह कि पञ्जीयक सहकारी सभाएं हिमाचल प्रदेश, शिमला-9 के आदेश संख्या 10-124/90-रूप० (ए० एण्ड एल०) दिनांक 13-11-1997 के द्वारा ऐसी समस्त सहकारी सभा को विघटन

में डालने के निर्देश दिए गए हैं जो सहकारी सभाएं निष्क्रिय एवं प्रसूत हो चुकी हैं। स्पष्ट है कि उपरोक्त सहकारी सभा का कार्य नियमानुसार संचारूप में नहीं चल रहा है तथा जिन उद्देश्य की पूर्ति के लिए इसका गठन/पञ्जीयन किया गया था उसमें सभा पूर्ण रूप से असफल पाई गई है। अतः उक्त सभा को विघटन में डालना ही उचित प्रतीत होता है।

अतः उपरोक्त तथ्यों एवं परिस्थितियों के दृष्टिगत मैं, बी० एन० शर्मा, सहायक पञ्जीयक सहकारी सभाएं शिमला, जिला शिमला हिमाचल प्रदेश सहकारी सभाएं अधिनियम, 1969 (ऐक्ट नं० 3 प्रा० 1969) की धारा 78(1) सीमित द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दि प्रयोगा महिला हस्तशिल्प एवं हथकरघा सहकारी सभा सीमित को विघटन में डालने के आदेश देता हूँ तथा उक्त अधिनियम को धारा 79 तथा हिमाचल प्रदेश सहकारी सभाएं नियम, 1971 के नियम, 106 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निरीक्षक सहकारी सभाएं शिमला शहरी की दि प्रयोगा महिला हस्तशिल्प एवं हथकरघा सहकारी सभा का विघटन नियुक्त करता हूँ। विघटन आदेश जारी होने की तिथि से एक वर्ष के भीतर-भीतर समापन कार्यवाही पूर्ण करने अन्तिम प्रतिवेदन उस कार्यालय को प्रस्तुत करें।

शिमला-9, 28 मार्च, 2006

संख्या 1009.—यह कि निरीक्षक सहकारी सभाएं शिमला शहरी ने इस कार्यालय को सूचित किया है कि दि कर्मल बेरोजगार यातायात सहकारी सभा सीमित दि भाल शिमला ने गत कई वर्षों से न तो कोई कार्य कर रही है और न ही सभा की प्रबन्ध कमेटी का गत कई वर्षों से नियमानुसार चुनाव द्वारा गठन किया गया है। सभा बिल्कुल निष्क्रिय हो चुकी है तथा उन उद्देश्यों की पूर्ति नहीं हो रही है जिसके लिए सभा का गठन किया गया था। सभा केवल नाम मात्र कागजों तक ही सीमित हो कर रह गई है।

यह कि पंजीयक सहकारी सभाएं, हिमाचल प्रदेश शिमला के प्रादेश संख्या 10-124/90-कूप0 (ए0 एण्ड एल0) दिनांक 13-11-1997 द्वारा ऐसी समस्त सहकारी सभा को विघटन में डालने के निर्देश दिए गए हैं जो सहकारी सभाएं निष्क्रिय एवं प्रसुप्त हो चुकी हैं। स्पष्ट है कि उपरोक्त सहकारी सभा का कार्य नियमानुसार सूचारु रूप से नहीं चल रहा है तथा जिन उद्देश्यों की पूर्ति के लिए इसका गठन/पंजीयन किया था उसमें सभा पूर्ण रूप से असफल पाई गई है। अतः उक्त सभा को विघटन में डालना ही उचित प्रतीत होता है।

अतः उपरोक्त तथ्यों के दृष्टिगत मैं, बी0 एन0 शर्मा, सहायक पंजीयक सहकारी सभाएं शिमला, जिला शिमला, हिमाचल प्रदेश, सहकारी सभाएं अधिनियम 1968 (एक्ट नं 3 आक्ट 1969) की धारा 78(1) सीमित द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दि कर्मल बेरोजगार यातायात सहकारी सभा सीमित को विघटन में डालने के प्रादेश देता हूँ तथा उक्त अधिनियम की धारा 79 तथा हिमाचल प्रदेश सहकारी सभाएं नियम, 1971 के नियम 106 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निरीक्षक सहकारी सभाएं शिमला शहरी को दी कर्मल बेरोजगार यातायात सहकारी सभा का विघटक नियुक्त करता हूँ। विघटन प्रादेश जारी होने की तिथि से एक वर्ष के भीतर-भीतर समापन कार्यवाही पूर्ण करके अन्तिम प्रतिवेदन इस कार्यालय को प्रस्तुत करें।

शिमला-9, 28 मार्च, 2006

संख्या 1016.—यह कि निरीक्षक सहकारी सभाएं शिमला शहरी ने इस कार्यालय को सूचित किया है कि दि कर्मचारी एण्ड डाक्टर सहकारी कंस्टीन सीमित, शिमला गत कई वर्षों से न तो कोई कार्य कर रही है और न ही सभा की प्रबन्ध कमेटी का गत कई वर्षों से नियमानुसार चुनाव द्वारा गठन किया गया है। सभा बिल्कुल निष्क्रिय हो चुकी है तथा उद्देश्यों की पूर्ति नहीं हो रही है जिसके लिए सभा का गठन किया गया था। सभा केवल नाममात्र कागजों तक ही सीमित हो कर रह गई है।

यह कि पंजीयक सहकारी सभाएं, हिमाचल प्रदेश, शिमला-9 के प्रादेश संख्या 10-124/90-कूप0 (ए0 एण्ड एल0) दिनांक 13-11-1997 द्वारा ऐसी समस्त सहकारी सभा को विघटन में डालने के निर्देश दिए गए हैं जो सहकारी सभाएं निष्क्रिय एवं प्रसुप्त हो चुकी हैं। स्पष्ट है कि उपरोक्त सहकारी सभा का कार्य नियमानुसार सूचारु रूप से नहीं चल रहा है तथा जिन उद्देश्यों की पूर्ति के लिए इसका गठन/पंजीयन किया गया था उसमें सभा पूर्ण रूप से असफल पाई गई है। अतः उक्त सभा को विघटन में डालना ही उचित प्रतीत होता है।

अतः उपरोक्त तथ्यों एवं परिस्थितियों के दृष्टिगत मैं, बी0 एन0 शर्मा, सहायक पंजीयक, सहकारी सभाएं शिमला, जिला शिमला, हिमाचल प्रदेश सहकारी सभाएं अधिनियम, 1968 (एक्ट, नं 3 आक्ट 1969) की धारा 78(1) सीमित द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दि कर्मचारी एण्ड डाक्टर सहकारी कंस्टीन सीमित, सहकारी सभा सीमित को विघटन में डालने के प्रादेश देता हूँ तथा उक्त अधिनियम की धारा 79 तथा हिमाचल प्रदेश सहकारी सभाएं नियम 1971 के नियम 106 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निरीक्षक सहकारी सभाएं शिमला शहरी को दी कर्मचारी एण्ड डाक्टर सहकारी कंस्टीन सहकारी सभा का विघटक नियुक्त करता हूँ। विघटन प्रादेश जारी होने

की तिथि से एक वर्ष के भीतर-भीतर समापन कार्यवाही पूर्ण करके अन्तिम प्रतिवेदन इस कार्यालय को प्रस्तुत करें।

शिमला-9, 28 मार्च, 2006

संख्या-1022.—यह कि निरीक्षक सहकारी सभायें, शिमला ने इस कार्यालय को सूचित किया है कि दि शिवालिक बेरोजगार यातायात सहकारी सभा सी0 गंज बाजार, शिमला गत कई वर्षों से न तो कोई कार्य कर रही है और न ही सभा की प्रबन्ध कमेटी का गत कई वर्षों से नियमानुसार चुनाव द्वारा गठन किया गया है। सभा बिल्कुल निष्क्रिय हो चुकी है तथा उन उद्देश्यों की पूर्ति नहीं हो रही है जिसके लिए सभा का गठन किया गया था सभा केवल नाम-मात्र कागजों तक ही सीमित होकर रह गई है।

यह कि पंजीयक सहकारी सभायें, हि0 प्र0 शिमला-1 के प्रादेश संख्या 10-124/90-कूप0 (ए0 एण्ड एल0), दिनांक 13-11-1997 के द्वारा ऐसी समस्त सहकारी सभा को विघटन में डालने के निर्देश दिये गये हैं जो सहकारी सभायें निष्क्रिय एवं प्रसुप्त हो चुकी हैं। स्पष्ट है कि उपरोक्त सहकारी सभा का कार्य नियमानुसार सूचारु रूप से नहीं चल रहा है तथा जिन उद्देश्यों की पूर्ति के लिए इसका गठन किया गया था उनमें सभा पूर्ण रूप से असफल पाई गई है। अतः उक्त सभा को विघटन में डालना ही उचित प्रतीत होता है।

अतः उपरोक्त तथ्यों एवं परिस्थितियों के दृष्टिगत मैं, बी0 एन0 शर्मा, सहायक पंजीयक, सहकारी सभायें, शिमला, जिला शिमला, हिमाचल प्रदेश सहकारी सभा अधिनियम, 1968, एक्ट नं 3, आक्ट 1969 की धारा 78(1) सीमित द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दी शिवालिक बेरोजगार यातायात सहकारी सभा सीमित को विघटन में डालने के प्रादेश देता हूँ तथा उक्त अधिनियम की धारा 79 तथा हिमाचल प्रदेश सहकारी सभायें नियम, 1971 के नियम 106 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निरीक्षक, सहकारी सभायें, शिमला (शहरी) को दी शिवालिक बेरोजगार यातायात सहकारी सभा का विघटक नियुक्त करता हूँ। विघटन प्रादेश जारी होने की तिथि से एक वर्ष के भीतर-भीतर समापन कार्यवाही पूर्ण करके अन्तिम प्रतिवेदन इस कार्यालय को प्रस्तुत करें।

बी0 एन0 शर्मा,  
सहायक पंजीयक, सहकारी सभायें,  
शिमला, जिला शिमला (हि0 प्र0)।

कार्यालय सहायक पंजीयक, सहकारी सभायें, ऊना, जिला ऊना,  
हिमाचल प्रदेश

कार्यालय प्रादेश

ऊना, 31 मार्च, 2006

संख्या ए0 धार0 (कूप) निरीक्षक मुख्यालय/37 41-44.—जैसा कि दी ऊना जिला सहकारी कर्मचारी सहकारी हाऊस विल्डिंग सभा सीमित ऊना, दिनांक 7-8-1985 को पंजीयन संख्या 410 के अन्तर्गत पंजीकृत हुई थी और सहायक पंजीयक, सहकारी सभायें के कार्यालय प्रादेश संख्या 5473-76, दिनांक 24-2-2003 के द्वारा विघटन में डाली गई थी;

हालांकि विघटक द्वारा अपने विघटनाधीन कार्यालय के दौरान सभा को पुर्नजीविन करने के प्रयास किये गये, परन्तु वांछित परिणाम प्राप्त नहीं हुआ। सभा का दायित्व व प्राप्त्य सभा के अन्तिम तारीख अंकेशन पत्र व निरीक्षण-पत्र के अनुसार समायोजित हो चुकी है;

जैसा कि उक्त सभा के विघटक द्वारा अन्तिम प्रतिवेदन एवं निरीक्षक, सहकारी सभायें, ऊना ने अपने कार्यालय पत्रांक 323,

दिनांक 31-3-2006 के अन्तर्गत उक्त गमा के पंजीकरण को रद्द करने की सिफारिश भी की थी।

अतः उपरोक्त के दृष्टिगत मैं, दिने राम धीमान, सहायक पंजीयक, सहकारी मन्त्रालय, ऊना जिला ऊना, हिमाचल प्रदेश, सहकारी मन्त्रालय अधिनियम, 1968 (एक्ट नं० 3 अंक 1969) की धारा 83(2) के अन्तर्गत पंजीयक, सहकारी मन्त्रालय, हिमाचल प्रदेश जमला की शक्तियों का प्रयोग करने हुये आज दिनांक 31-3-2006 को ऊपरलिखित सहकारी गमा के पंजीयन का रद्द करने का आदेश देता हूँ।

ऊना, 31 मार्च, 2006

सं० ए० आर० (कृप) निरीक्षक मुख्यालय/2737-40—जैसा कि दो तंगल जमियाला सहकारी परिवहन गमा सीमित, जिनका 9-12-1986 को पंजीयन संख्या 420 के अन्तर्गत पंजीकृत हुई थी और सहायक पंजीयक, सहकारी मन्त्रालय के कार्यालय आदेश संख्या 5557-60, दिनांक 24-2-2003 के द्वारा विघटन में डाली गई थी;

हालतक विघटन द्वारा आने विघटनाधीन कार्यालय के दौरान गमा को पुनर्जीवित करने के प्रयास किये गये परन्तु वांछित परिणाम प्राप्त नहीं हुआ। गमा का दायित्व व प्राप्ताध्य गमा के अन्तिम तारीख प्रवेशन-पत्र व निराक्षण-पत्र के अनुसार समाप्तोन्नि हो चुकी है;

जैसा कि उक्त गमा के विघटन द्वारा अन्तिम प्रतिवेदन व निरीक्षक, सहकारी मन्त्रालय गगरेट ने आने कार्यालय पत्रांक 314, दिनांक 27-3-2006 के अन्तर्गत उक्त गमा के पंजीकरण का रद्द करने की सिफारिश भी की है।

अतः उपरोक्त के दृष्टिगत मैं, दिने राम धीमान, सहायक पंजीयक, सहकारी मन्त्रालय, ऊना, जिला ऊना, हिमाचल प्रदेश सहकारी मन्त्रालय अधिनियम, 1968 (एक्ट नं० 3 अंक 1969) की धारा 83(2) के अन्तर्गत पंजीयक, सहकारी मन्त्रालय, हिमाचल प्रदेश, जमला की शक्तियों का प्रयोग करने हुये आज दिनांक 31-3-2006 को ऊपरलिखित सहकारी गमा के पंजीयन का रद्द करने का आदेश देता हूँ।

दिने राम धीमान,  
सहायक पंजीयक, सहकारी मन्त्रालय,  
ऊना, जिला ऊना, हिमाचल प्रदेश।

भाग-3—अधिनियम, विधेयक और विधेयकों पर प्रवर सभा के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल हिमाचल प्रदेश हाई कोर्ट, फाईनैशियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि  
HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

#### NOTIFICATIONS

Shimla-1, the 17th April, 2006

No. HHC/Rules/14 61/90-7781.—Hon'ble the Chief Justice of the High Court of Himachal Pradesh in exercise of the powers conferred under Article 229 of the constitution of India and all other enabling powers in this behalf, is pleased to make the following amendments in "The Himachal Pradesh High Court Officers and the Members of the Staff (Recruitment, Conditions of Service, Conduct and Appeal), Rules, 2003".

1. *Short title.*—These Rules shall be called "The Himachal Pradesh High Court Officers and the Members of Staff (Recruitment, Conditions of Service, Conduct and Appeal) (Fourth Amendment) Rules, 2006".

2. *Commencement.*—They shall come into force with immediate effect.

3. *Amendment.*—Item Nos. 1, 7, 8 and 12 below class-III Part-D, of the Schedule annexed to "The Himachal Pradesh High Court Officers and the Members of Staff (Recruitment, Condition of Service, Conduct and Appeal) Rules, 2003", shall be substituted as under:—

#### SCHEDULE 'D'

##### Class-III

Sl. No.	Name of the Post	No. of Post	Mode of appointment	Qualification	Experience	Scale of pay
1	2	3	4	5	6	7
1.	Senior Assistants/Record Keeper/Reader to Registrar General/Court Officer/Auditor.	32	(i) 90% by promotion from amongst Clerks, which term includes Junior Assistant/Proof Readers.	—	Six years	Rs. 5800-200-7000-220-8100-275-9200 + S. A. Rs. 240/-
			(ii) 10% by selection on the basis of limited competitive examination from amongst Clerks, which term includes Junior Assistants of the Subordinate Courts.	Graduation	five years	
7.	Clerks/Proof Readers.	70	(a) 80 % by direct recruitment	Graduation		Rs. 3120-100-3200-120-4260-140-4400-150-5000-160-5160
			(b) 20 % by transfer from amongst the Restorers/Book Binder failing which by selection on the basis of limited competitive examination from amongst Class IV servants of the High Court.	Matriculation 2nd Division or Plus Two.	Five years	+(with initial start of Rs. 3220/-) S. A. Rs. 120.

1	2	3	4	5	6	7
		(c)	Further failing which by selection on the basis of limited competitive examination from amongst Class IV employees of the Sub-ordinate Courts Explanation: Candidates appointed by any of the aforesaid modes shall have to pass the typing test with a minimum speed of 30 words per minute, within the period of probation, which term includes extended probation period, if any.	Matriculation 2nd Division or Plus Two	Five years	
8.	Restorers	10	By promotion from amongst Class IV servants failing which by direct recruitment.	Matriculation in case of Class IV Court servants. Graduation in case of direct recruitment.	Rs. 3120-100-3200-120-4260-140-4400-150-5000-160-5160-S. A.	
					Rs. 120.	
12.	Book Binder	1	By promotion from amongst the Class IV Court servants, failing which by direct recruitment.	Matriculate in case of appointment from amongst Court servants with knowledge of book binding Graduation and diploma in book binding in case of direct recruitment.	Rs. 3120-100-3200-120-4260-140-4400-150-5000-160-5160-S. A.	
					Rs. 120.	

BY ORDER OF HON'BLE THE CHIEF JUSTICE.

Sd/  
Registrar (Rules)

Shimla-1. the 20th April, 2006

No. HHC Rules/Vol. V/97-8360.—In exercise of the powers vested in it under Section 23 of the State of Himachal Pradesh Act, 1970, Section 129 of the Code of Civil Procedure, 1908 as amended from time to time, Article 225 of the Constitution of India and all other powers enabling hereunto, the High Court of Himachal Pradesh is pleased to make the following amendments in the High Court of Himachal Pradesh (Original Side) Rules, 1997:—

1. These Rules shall be called the High Court of Himachal Pradesh (Original Side) (Fifth Amendment) Rules, 2006.

2. These Rules shall come into force with immediate effect.

3. Sub-rule (33) of Rule 3 of the High Court of Himachal Pradesh (Original Side) Rules, 1997 is substituted as under:—

“(33) Such cases where the Court itself, in the first instance, has fixed a time limit for filing reply/objections/rejoinders or other pleadings or for compliance of other directions in furtherance of the progress of a case and if despite such time initially granted by the Court the party concerned has not done the needful, on expiry of the period so granted by the Court in the first instance, the matter shall not be listed before the Court. Such matters shall be listed before the Deputy Registrar/Additional Registrar to be nominated specially for

this purpose by the Chief Justice and thereafter, before the Registrar, to be so nominated by the Chief Justice, for extension of time, beyond the time limit fixed by the Court, as per procedure laid down in sub-rules (xvii), (xviii) and (xix) of Rule 1 of the Himachal Pradesh High Court (Appellate Side) Rules, 1997. This procedure shall apply *mutatis mutandis* to all such matters:

Provided that notwithstanding anything contained in sub-rules (33) of Rule 3, actual date matters and matters containing peremptory directions shall be listed only before the Courts.”

BY ORDER OF THE HIGH COURT.

Sd/  
Registrar (Rules).

अम विभाग

अधिसूचनाएं

शिमला-1, 31 मार्च, 2006

संख्या 11-3/93 (नंबर) आई 0 डी 0/06-कलक.—प्रवाहस्तोत्ररी का यह प्रतीत होता है कि Shri Jee Lal s/o Shri Swarnu Ram, Village Sadoh, P. O. Baryara, Sub Tehsil Kotli, District Mandi (H. P.) Vs. The Executive Engineer Chenab Valley H.P.P.W.D. Division Udaipur, District Lahul & Spiti (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है।

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-श्रम (लूज), दिनांक 7 मितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :—

“Whether the termination of services of Shri Jeet Lal s/o Shri Swarnu Ram workman by the Executive Engineer, Chenab Valley H.P.P.W.D. Division, Udaipur, District Lahaul & Spiti (H. P.) w. e. f. 1-11-2000 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?”

शिमला-1, 31 मार्च, 2006

संख्या 11-1/8 (लैब) आई० डी०/०६-मुन्दरनगर.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Smt. Kala Devi d/o Shri Mansa Ram, Village Nalaw, P. O. Jassal, Tehsil Karsog, District Mandi (H. P.) Vs. The Divisional Forest Officer, Forest Division, Karsog, District Mandi (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12 (4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-श्रम (लूज), दिनांक 7 मितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा-7 के अधीन गठित श्रम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :—

“Whether the termination of services of Smt. Kala Devi d/o Shri Mansa Ram workman by the Divisional Forest Officer, Forest Division, Karsog, District Mandi, (H. P.) w. e. f. 11-12-2002 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?”

शिमला-1, 31 मार्च, 2006

संख्या 11-1/86 (लैब०) आई० डी०/०६-पावटा.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Shri Hukam Singh s/o Shri Atma Ram, V. P. O. Kollar Tehsil Paonta Sahib, District Sirmaur (H. P.) Vs. 1. The Divisional Forest Officer, Paonta Sahib, District Sirmaur, 2. The Divisional Forest Officer, Nahan Division, Nahan, District Sirmaur (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त

अधिनियम की धारा 12 की उप-धारा-5 के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-श्रम (लूज), दिनांक 7 मितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :—

“Whether the termination of services of Shri Hukam Singh s/o Shri Atma Ram, workman by the (1) The Divisional Forest Officer, Paonta Division, Paonta Sahib, District Sirmaur (H.P.), (2) The Divisional Forest Officer, Nahan Division, District Sirmaur, (H. P.) w. e. f. 1-11-2000 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?”

शिमला-1, 31 मार्च, 2006

संख्या 11-2/93 (लैब) आई० डी०/०६-सोलन.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Shri Jag Mohan Dhiman s/o Shri Ram Partap, Village Fatehpur, P. O. Bhurwala, Tehsil Naraingarh, District Ambala, Haryana Vs. M's Micro Turner-II, Village Jharmajri, P. O. Barotiwalla, Tehsil Nalagarh, District Solan (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा 5 के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-श्रम (लूज), दिनांक 7 मितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :—

“Whether the termination of services of Shri Jag Mohan Dhiman s/o Shri Ram Partap workman by the M's Micro Turner-II, Village Jharmajri, P. O. Barotiwalla, Tehsil Nalagarh, District Solan (H. P.) w. e. f. 7-1-2004 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?”

शिमला-1, 31 मार्च, 2006

संख्या 11-1/7 (लैब) आई० डी०/०५-जोगिन्दर नगर.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Shri Ram Chander s/o Shri Piundi Ram, Village Ghoran, P. O. & Tehsil Joginder Nagar, District Mandi (H. P.) Vs. Executive Engineer, H.P.P.W.D. Electrical Division, Mandi (H. P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है ;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त



अधिनियम की धारा 12 की उप-धारा 5 के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/ औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

प्रतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-अम (नूज), दिनांक 7 सितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/ औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :-

"Whether the termination of services of Shri Ram Chander s/o Shri Pundi Ram workman by the Executive Engineer, H.P.P.W.D. Electrical Division Hospital Road Mandi, District Mandi (H.P.) w. e. f. 1-4-2001 without complying the provisions of the Industrial Disputes Act, 1947 as alleged by the workman is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?"

शिमला-1, 31 मार्च, 2006

संख्या 11-2/86 (लैब) आई0 डी0/05-बिलासपुर.—अधोहस्ताक्षरी को यह प्रतीत होता है कि Shri Ram Paul s/o Shri Beli Ram, V.P.O. Makri, Tehsil Naina Deviji, District Bilaspur (H.P.) Vs. The Additional Superintending, H.P.S.E.B. Electrical Division, Bilaspur (H.P.) के मध्य नीचे दिए गए विषय पर औद्योगिक विवाद है;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझौता अधिकारी द्वारा प्रदत्त की गई रिपोर्ट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के उपरान्त अधोहस्ताक्षरी ने निर्णय लिया है कि मामला श्रम न्यायालय/ औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

प्रतः हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-8/89-अम (नूज), दिनांक 7 सितम्बर, 1992 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अधोहस्ताक्षरी, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के

भाग-4 -स्थानीय स्वायत्त शासन, स्थितिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाईड और टाऊन एरिया तथा पंचायती राज विभाग

-स्थ-

### भाग 5—व्यक्तिगत अधिसूचनाएं और विज्ञापन

ब अदालत श्री के0 आर0 शर्मा, तहसीलदार एवं कार्यकारी दण्डाधिकारी, घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश

श्री गिरधारी लाल मुपुत्र श्री भोजी राम, गांव पट्टा, परगना लून, तहसील घुमारवीं, जिला बिलासपुर (हि0 प्र0)।

बनाम

श्राम जनता

विषय.—श्रायंता-77 अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

नोटिस बनाम श्राम जनता।

श्री गिरधारी लाल पुत्र श्री मीर्जा राम, गांव पट्टा, परगना लून, तहसील घुमारवीं, जिला बिलासपुर, हिमाचल प्रदेश ने इस अदालत में एक आवेदन-पत्र दिया है कि उसके लड़के अमय कुमार का जन्म दिनांक 18-8-1999 को हुआ है। जो नगर पंचायत रिकार्ड में दर्ज किया जावे।

अतः इस नोटिस द्वारा समस्त जनता तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को अमय कुमार की

अधीन प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय/ औद्योगिक अधिकरण, हिमाचल प्रदेश को नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है :-

"Whether the termination of services of Shri Ram Paul s/o Shri Beli Ram workman by the Additional Superintending Engineer, Electrical Division, H. P. S.E.B. Division, Bilaspur (H. P.) w. e. f. 26-4-1999 without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?"

श्रम एवं रोजगार विभाग

अधिसूचना

शिमला-1, 18 अप्रैल, 2006

संख्या 11-2/93(लैब) आई0 डी0/2004-सोलन. इस विभाग की अधिसूचना संख्या दिनांक 5-4-2005 तथा शुद्धि-पत्र दिनांक 7-4-2005 के अनुक्रम में मैसर्स जय माता गिलास लि0, धिरा, बरोटीवाला, जिला सोलन तथा जय माता वर्करज यूनिन (इंटेक) पंजी0 संख्या 495, बरोटीवाला, जिला सोलन के मध्य हुए औद्योगिक विवाद में निम्नलिखित अतिरिक्त संदर्भ में जोड़ा जाए :-

"क्या समझौता ज्ञापन दिनांक 6-1-2005 (प्रति संलग्न) के शर्त नं0-2, दिनांक 9-10-2004 से 6-1-2005 तक समय अवधि कामगारों द्वारा हड़ताल की गई थी या कारखाना प्रबन्धन द्वारा कारखाना में ताला बन्दी की गई थी? यदि कामगार हड़ताल पर थे, तो क्या यह हड़ताल गैर कानूनी थी? यदि नहीं, तो कामगार किस वेतन व अन्य सेवा लाभों के पात्र व हकदार है? यदि उपरोक्त अवधि में कामगार हड़ताल पर नहीं थे बल्कि कारखाना प्रबन्धकों द्वारा ताला बन्दी की गई थी? यदि ताला बन्दी गैर कानूनी थी, तो कामगार उक्त समय अवधि के लिए किस वेतन व लाभों के हकदार होंगे?"

हस्ताक्षरित/-

श्रमायुक्त।

आज दिनांक 16-2-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

के0 आर0 शर्मा,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
घुमारवीं, जिला बिलासपुर,  
हिमाचल प्रदेश।

ब अदालत श्री मुनशी राम, सहायक समाहर्ता द्वितीय श्रेणी पूर्व नायब तहसीलदार, सदर, जिला बिलासपुर (हि0 प्र0)

इन्तकाल नम्बर 105 मकफूल उलखबरी, मोजा बीगर, तहसील सदर, जिला बिलासपुर, हिमाचल प्रदेश, बावत बरास्त शंकर पुत्र गुमाऊ, निवासी गांव बीगर, तहसील सदर, जिला बिलासपुर, हिमाचल प्रदेश।

नोटिस

बनाम

श्राम जनता।



श्री नवलू उपनाम खन्ना पुत्र शंकर, निवासी गांव डोगर, तहसील सदर, जिला बिनासपुर ने एक प्रार्थना-पत्र बराए दर्ज व तस्दीक करने इन्तकाल मकफद-उल-खबरी अपने पिता श्री शंकर का दिया है जिसका इन्तकाल शंकर के जायज वारसान के नाम दर्ज कर दिया है। श्री शंकर अरसा 30 वर्ष से लापता है तथा उसके बारे में कोई जानकारी किसी को न है। इसमें प्रतीत होता है कि शंकर फौत हो चुका है।

फिर भी इस नोटिस द्वारा ग्राम जनता को सूचित किया जाता है कि शंकर की सम्पत्ति का इन्दाज इसके जायज वारसान के नाम दर्ज व तस्दीक करने में किसी को कोई शक्ति हो तो वह अपनी आपत्ति अन्दर तीस दिन इस अदालत में लिखित दायर करें अन्यथा इन्तकाल मन्जूर कर दिया जाएगा।

आज दिनांक 7-4-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

मुन्शी राम,  
सहायक समाहर्ता द्वितीय श्रेणी,  
तहसील सदर, जिला बिनासपुर,  
हिमाचल प्रदेश।

न्यायालय उप-मण्डल दण्डाधिकारी चुराह, जिला चम्बा,  
हिमाचल प्रदेश

श्री चन्दू राम सुपुत्र श्री जैफरी राम, निवासी ग्राम भदोई, तहसील सलूणी, जिला चम्बा, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर द्वारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री चन्दू राम पुत्र श्री जैफरी, निवासी ग्राम भदोई, तहसील सलूणी, जिला चम्बा ने आवेदन किया कि मैंने अपनी शादी श्रीमती रणजीता विधवा श्री बलकार सिंह, रेलवे रोड, जगाधरी, जिला यमुनानगर के साथ दिनांक 10-8-2005 को रस्मों रिवाज इलाका व कोम कर ली है और श्रीमती रणजीता मेरे घर ग्राम वैडोई, परगना जूड में आवाद है।

अतः ग्राम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि श्रीमती रणजीता पत्नी चन्दू राम अपने परिवार ग्राम पंचायत ओडा में रणजीता व उसके पहले पति से लड़का नामक सुरजीत, जन्म तिथि 18-1-1988 का इन्दाज भी अपने परिवार में करना चाहता है। इस बारे किसी को उजर/एतराज हो तो वे अपना उजर असालतन या वकालतन इश्तहार जारी होने की तारीख से एक माह के भीतर कर सकता है अन्यथा परिवार रजिस्टर ग्राम पंचायत ओडा में इन्दाज करने के आदेश जारी कर दिये जायेंगे।

इश्तहार आज दिनांक 1 अप्रैल, 2006 को मेरे हस्ताक्षर अथवा मोहर अदालत में जारी किया गया।

मोहर।

हस्ताक्षरित/-  
उप-मण्डल दण्डाधिकारी,  
चुराह, जिला चम्बा (हि0 प्र0)।

In the Court of Shri D. C. RANA, HAS, Marriage Officer-cum-Sub-Divisional Magistrate, Dalhousie, District Chamba, Himachal Pradesh, INDIA

In the Matter of :

1. Ms. Ravinandini Singh d/o Sh. Brajinder Singh, resident of Jandrigat Palace, Dalhousie, Chamba, H. P., India.

2. Mr. Matthew Westlake resident of 377 Mountain River Estate, T3Z, 3J3 Calgary AB Canada.

Versus

General public

Subject: Notice of Intended Marriage dated 10-2-2006 under the Special Marriage Act, 1954.

Whereas, Ms. Ravinandini Singh d/o Sh. Brajinder Singh, resident of Jandrigat Palace, Dalhousie, Chamba, H.P., India and Mr. Matthew Westlake resident of 377 Mountain River Estate, T3Z, 3J3 Calgary AB Canada have issued notice dated 10-2-2006 under the Special Marriage Act, 1954 to the undersigned for the solemnisation of marriage between the two within three calendar months from the date of notice.

Now, therefore, the General Public is hereby informed through this notice that any person who has any objection regarding solemnisation this marriage can file objection before this Court upto 11 A.M. on or before 9th May, 2006. After that no objection will be entertained and marriage will be solemnised.

Issued on 13th day of March, 2006 under my hand and seal of the Court.

Seal.

D. C. RANA (H.A.S.),  
Sub-Divisional Magistrate,  
Dalhousie, District Chamba (H. P.) (INDIA).

ब अदालत श्री संजीव शर्मा, तहसीलदार एवं कार्यकारी दण्डाधिकारी, डलहौजी, जिला चम्बा, हिमाचल प्रदेश

श्री दीवान चन्द पुत्र श्री भगत राम, निवासी गांव भट्टी, डाकघर सदली, तहसील डलहौजी, जिला चम्बा (हि0 प्र0) प्रार्थी।

बनाम

ग्राम जनता

प्रत्यार्पण।

प्रार्थना-पत्र जेर द्वारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

उपरोक्त प्रार्थी ने अधोहस्ताक्षरी की अदालत में प्रार्थना-पत्र मय ब्यान हल्फी इस प्रार्थन से गुजारा है कि कागजात माल में उसका नाम दीनो राम दर्ज है जो कि गलत है। जबकि उसका सही नाम दीवान चन्द है।

इस सम्बन्ध में सर्वसाधारण को बजरिया इश्तहार सूचित किया जाता है कि प्रार्थी के नाम दस्तुती बारे यदि किसी को कोई उजर व एतराज हो तो वह दिनांक 8-5-2006 को अमालनन या वकालतन अदालत अधोहस्ताक्षरी आकर अपना एतराज दर्ज करवा सकता है। हाजिर न आने की सूत्र में नाम दस्तुती के आवेद दे दिए जायेंगे।

आज दिनांक 7-4-2006 को मेरे हस्ताक्षर व अदालत मोहर से जारी हुआ।

मोहर।

संजीव शर्मा,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
डलहौजी, जिला चम्बा (हि0 प्र0)।

ब अदालत श्री प्रार0 के0 प्रुथी, मरिज ऑफिसर एवं उप-मण्डल दण्डाधिकारी, हमीरपुर, जिला हमीरपुर, हिमाचल प्रदेश

1. श्री प्रताप चन्द उम्र 45 वर्ष सुपुत्र श्री खेम्बो राम, गांव ब शा0 आलमपुर, तहसील जयसिंहपुर, जिला कांगड़ा, हिमाचल प्रदेश।





के उपरास्त किसी भी प्रकार की श्रापित स्वीकार्य न होगी तथा जन्म पंजीकरण के आदेश सम्बन्धित ग्राम पंचायत को पारित कर दिये जाएंगे।

घाज दिनांक 22-3-2006 को मेरे हस्ताक्षर व म्यामालय की मोहर सहित जारी हुआ।

मोहर। जगदीश राम,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
खुण्डिया, जिला कांगडा (हि० प्र०)।

ब अदालत श्री प्रकाश चन्द भाजाव, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगडा, हिमाचल प्रदेश

केस नं० : 21/NT-1/06. तारीख पेशी : 5-5-2006.

प्यार सिंह धीमान बनाम सर्वसाधारण एवं ग्राम जनता।

प्रार्थना-पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री प्यार सिंह धीमान पुत्र श्री राजमल, निवासी घनेटा, तहसील पालमपुर, जिला कांगडा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसकी लड़की नीलम धीमान का जन्म दिनांक 8-8-1970 को हुआ है। मगर ग्राम पंचायत घनेटा के अभिलेख में दर्ज नहीं है।

घतः इस इशतहार हजा द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 5-5-2006 को सुबह 10.00 बजे प्रसातन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समायत न होगा तथा नीलम धीमान पुत्री श्री प्यार सिंह धीमान की जन्म तिथि 8-8-1970 पंजीकरण करने के आदेश सम्बन्धित पंचायत को पारित कर दिये जाएंगे।

घाज दिनांक 4-4-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। प्रकाश चन्द भाजाव,  
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगडा (हि० प्र०)।

ब अदालत श्री प्रकाश चन्द भाजाव, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगडा, हिमाचल प्रदेश

केस नं० : 18/NT-1/06. तारीख पेशी : 8-5-2006.

श्रीमती भारती प्रानन्द बनाम सर्वसाधारण एवं ग्राम जनता

प्रार्थना-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती भारती प्रानन्द पुत्री श्री मनोहर लाल, निवासी मुहाल वाडे नं० 7, मीना पालमपुर, तहसील पालमपुर, जिला कांगडा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसका स्वयं का जन्म दिनांक 20-10-1977 को हुआ है। मगर म्युनिसिपल कमेटो के अभिलेख में दर्ज नहीं है।

घतः इस इशतहार हजा द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 8-5-2006 को सुबह 10.00 बजे प्रसातन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समायत न होगा तथा भारती प्रानन्द पुत्री श्री मनोहर लाल की जन्म तिथि 20-10-1977 पंजीकरण करने के आदेश सम्बन्धित म्युनिसिपल कमेटो को पारित कर दिये जाएंगे।

आज दिनांक 20-3-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। प्रकाश चन्द भाजाव,  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगडा (हि० प्र०)।

ब अदालत श्री प्रकाश चन्द भाजाव, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगडा, हिमाचल प्रदेश

केस नं० : 23/NT-1/06 तारीख पेशी : 5-5-2006

श्री रमेश चन्द धीमान बनाम सर्वसाधारण एवं ग्राम जनता

प्रार्थना-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री रमेश चन्द धीमान पुत्र श्री राजमल, निवासी मुहाल घनेटा, मीना घनेटा, तहसील पालमपुर, जिला कांगडा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसके लड़के नीरज धीमान का जन्म दिनांक 18-1-1980 को हुआ है मगर ग्राम पंचायत घनेटा के अभिलेख में दर्ज नहीं है।

घतः इस इशतहार हजा द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 5-5-2006 को सुबह 10.00 बजे प्रसातन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समायत न होगा तथा नीरज धीमान पुत्र श्री रमेश चन्द धीमान की जन्म तिथि 18-1-1980 के पंजीकरण आदेश सम्बन्धित पंचायत को पारित कर दिये जाएंगे।

घाज दिनांक 4-4-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। प्रकाश चन्द भाजाव,  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगडा, हिमाचल प्रदेश।

ब अदालत श्री प्रकाश चन्द भाजाव, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगडा, हिमाचल प्रदेश

केस नं० : 25/NT-1/06 तारीख पेशी : 5-5-2006

श्री राकेश कुमार बनाम सर्वसाधारण एवं ग्राम जनता

प्रार्थना-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री राकेश कुमार पुत्र श्री प्रानन्द राम, निवासी मुहाल घुग्घर, मीना घुग्घर, तहसील पालमपुर, जिला कांगडा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसकी लड़की कुमारी सुरभी का जन्म दिनांक 29-1-2002 को हुआ है मगर ग्राम पंचायत घुग्घर के अभिलेख में दर्ज नहीं है।

घतः इस इशतहार हजा द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 5-5-2006 को सुबह 10.00 बजे प्रसातन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समायत न होगा तथा कुमारी सुरभी पुत्री श्री राकेश कुमार को जन्म तिथि 29-1-2002 के पंजीकरण आदेश सम्बन्धित पंचायत को पारित कर दिये जाएंगे।

आज दिनांक 4-4-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। प्रकाश चन्द भाजाव,  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगडा, हिमाचल प्रदेश।

ब अदालत श्री प्रकाश चन्द आजाद, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं० 24/NT-I/06

तारीख पेशी : 5-5-2006

श्री राकेश कुमार बनाम सर्वसाधारण एवं ग्राम जनता

प्रार्थना-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री राकेश कुमार पुत्र श्री आनन्द राम, निवासी मुहाल घुग्घर, मौजा घुग्घर, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसके लड़के सौरभ का जन्म दिनांक 18-12-2003 को हुआ है। मगर ग्राम पंचायत घुग्घर के अभिलेख में दर्ज नहीं है।

अतः इस इशतहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 5-5-2006 को सुबह 10.00 बजे प्रसादन व वकालत हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समाप्त न होगा तथा सौरभ पुत्र श्री राकेश कुमार की जन्म तिथि 18-12-2003 के पंजीकरण आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 4-4-2006 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

प्रकाश चन्द आजाद,  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश।

ब अदालत श्री प्रकाश चन्द आजाद, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा (हि० प्र०)

केस नं० : 27/NT-I/06

तारीख पेशी : 5-5-06

विजय कुमार बनाम सर्वसाधारण एवं ग्राम जनता

प्रार्थना-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री विजय कुमार पुत्र श्री हाण्डू राम, निवासी मुहाल झण्डारड़ा, मौजा बन्दना, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसका पिता हाण्डू राम को मृत्यु दिनांक 23-3-2004 को हुई है। मगर ग्राम पंचायत बन्दना के अभिलेख में दर्ज नहीं है।

अतः इस इशतहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 5-5-2006 को सुबह 10.00 बजे प्रसादन या वकालत हाजिर अदालत आकर पेश कर सकता है। बाद वाद गुजरने मियाद कोई भी उजर या एतराज काबिले समाप्त न होगा तथा हाण्डू राम पुत्र हाण्डू राम की मृत्यु तिथि 23-3-2004 पंजीकरण आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 4-4-2006 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

प्रकाश चन्द आजाद,  
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगड़ा (हि० प्र०)।

ब अदालत श्री प्रकाश चन्द आजाद, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा (हि० प्र०)

केस नं० 22/NT-I/06.

तारीख पेशी 5-5-06.

प्यार मिह धीमान बनाम सर्वसाधारण एवं ग्राम जनता

प्रार्थना-पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री प्यार मिह धीमान पुत्र श्री राजगल, निवासी मलाव घनैटा, मौजा घनैटा, तहसील पालमपुर, जिला कांगड़ा (हि० प्र०) ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसके लड़के अनिल धीमान का जन्म दिनांक 23-10-1972 को हुआ है। मगर ग्राम पंचायत घनैटा के अभिलेख में दर्ज नहीं है।

अतः इस इशतहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 5-5-06 को सुबह 10.00 बजे प्रसादन या वकालत हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समाप्त न होगा तथा अनिल धीमान पुत्र श्री प्यार मिह धीमान की जन्म तिथि 23-10-1972 पंजीकरण करने के आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 4-4-2006 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

प्रकाश चन्द आजाद,  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश।

ब अदालत श्री प्रकाश चन्द आजाद, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं० : 26/NT-I/06.

तारीख पेशी 5-5-06.

गोछी राम बनाम सर्वसाधारण एवं ग्राम जनता

प्रार्थना-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री गोछी राम पुत्र श्री मोहन, निवासी मुहाल कण्डा, मौजा दरोगण, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसका पिता देहरा देवी की मृत्यु दिनांक 15-10-1978 को हुई है। मगर ग्राम पंचायत दरोगण के अभिलेख में दर्ज नहीं है।

अतः इस इशतहार द्वारा सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर या एतराज हो तो वह दिनांक 5-5-06 को सुबह 10.00 बजे प्रसादन या वकालत हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समाप्त न होगा तथा देहरा देवी पत्नी श्री मोहन की मृत्यु तिथि 15-10-1978 पंजीकरण आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 4-4-2006 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

प्रकाश चन्द आजाद,  
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पालमपुर, जिला कांगड़ा (हि० प्र०)।

ब प्रदायन श्री केसर राम, तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी/कार्यकारी दण्डाधिकारी शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश

श्री मरगतम सिंह पुत्र श्री जगबन्त सिंह, निवासी गांव ब डा0 चडी, तहसील शाहपुर, जिला कांगड़ा (हि0 प्र0)

बनाम

आम जनता

प्राथंता-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री मरगतम सिंह पुत्र श्री जगबन्त सिंह, निवासी चडी, तहसील शाहपुर, जिला कांगड़ा (हि0 प्र0) ने इस न्यायालय/कार्यालय में प्राथंता-पत्र दिया है कि उसके पुत्र अभियेक पुत्र मरगतम सिंह का जन्म तिथि 11-12-1982 को मूहाल चडी में हुआ है लेकिन जन्म तिथि ग्राम पंचायत अभिलेख में दर्ज नहीं है।

प्रतः मंत्र साधारण को इस इशतहार द्वारा सूचित किया जाता कि यदि इस बारे किसी को कोई एतराज हो तो वह दिनांक 6-5-2006 को प्रसावतन या वकालतन प्रातः 10.00 बजे हाजिर हो कर अपना एतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई अप्रतिन/एतराज नहीं मना जाएगा तथा अभियेक की जन्म तिथि पंचायत रिकार्ड में दर्ज करने के आदेश पारित कर दिए जाएंगे।

प्रातः दिनांक 23-3-2006 को हमारे हस्ताक्षर व मोहर प्रदायन में जारी हुआ।

साहूर।

केसर राम,  
तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी,  
कार्यकारी दण्डाधिकारी, शाहपुर,  
जिला कांगड़ा (हि0 प्र0)।

ब प्रदायन श्री केसर राम, तहसीलदार एवं कार्यकारी दण्डाधिकारी, शाहपुर, जिला कांगड़ा (हि0 प्र0)

श्री मरगतम सिंह पुत्र श्री जगबन्त सिंह, निवासी गांव ब डा0 चडी, तहसील शाहपुर, जिला कांगड़ा, हिमाचल प्रदेश।

बनाम

आम जनता

विषय—प्राथंता-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री मरगतम सिंह पुत्र श्री जगबन्त सिंह, निवासी चडी, तहसील शाहपुर, जिला कांगड़ा (हि0 प्र0) ने इस न्यायालय/कार्यालय में प्राथंता-पत्र दिया है कि उसके पुत्र अभिलेख पुत्र मरगतम सिंह की जन्म तिथि 16-4-1986 को मूहाल चडी में हो हुआ है लेकिन उसकी जन्म तिथि ग्राम पंचायत में दर्ज नहीं है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई एतराज हो तो वह दिनांक 6-5-2006 को प्रसावतन या वकालतन प्रातः 10.00 बजे हाजिर होकर पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई अप्रतिन/एतराज न मना जाएगा तथा अभिलेख की जन्म तिथि पंचायत रिकार्ड में दर्ज करने के आदेश पारित कर दिए जाएंगे।

प्रातः दिनांक 23-3-2006 को मेरे हस्ताक्षर व मोहर प्रदायन द्वारा जारी हुआ।

साहूर।

केसर राम,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
शाहपुर, जिला कांगड़ा (हि0 प्र0)।

ब प्रदायन श्री राजीव कुमार, उप-मण्डल दण्डाधिकारी लाहौल स्थान केलांग, जिला लाहौल एवं स्पिति, हिमाचल प्रदेश

राम सिंह पुत्र म्ब0 श्री टली बांग्यान बनाम आम जनता व अन्य

विषय—प्राथंता-पत्र बराये पंचायत रजिस्टर में नाम दर्ज करने बारे।

श्री राम सिंह पुत्र म्ब0 श्री टली बांग्यान, निवासी गांव गुपुष्पक, कोठी गुमरग, तहसील लाहौल ने इस प्रदायन में प्राथंता-पत्र/पत्र सहित दायर किया है कि उसकी बेटी कुमारी सुनीता व पुत्र रमेश कुमार जिनकी जन्म तिथियां क्रमशः 26-6-1982 व 21-9-1986 है का नाम व जन्म तिथियां पंचायत परिवार रजिस्टर में दर्ज नहीं हैं, के नाम व जन्म तिथियां पंचायत रजिस्टर में दर्ज की जावें।

अतः इस इशतहार द्वारा समस्त जनता को सूचित किया जाता है कि उपरोक्त बच्चों के नाम व जन्म तिथियां पंचायत रजिस्टर में दर्ज करने बारे यदि किसी को कोई आपत्ति हो तो वह दिनांक 5-5-2006 को प्रातः 10.00 बजे इस प्रदायन में प्रसावतन या वकालतन हाजिर होकर पैरवी कर सकता है तथा निश्चित तिथि पर कोई आपत्ति न करने पर एक तरफा कार्यवाही प्रमल में लाई जावेगी।

प्रातः दिनांक 5-4-2006 को मेरे हस्ताक्षर व मोहर प्रदायन में जारी हुआ।

मोहर।

राजीव कुमार,  
उप-मण्डल दण्डाधिकारी,  
लाहौल स्थान केलांग,  
जिला लाहौल स्पिति (हि0 प्र0)।

ब प्रदायन श्री राजीव कुमार, उप-मण्डल दण्डाधिकारी लाहौल स्थान केलांग, जिला लाहौल एवं स्पिति, हिमाचल प्रदेश

प्रेम लाल पुत्र श्री सोनम बनाम आम जनता व अन्य

विषय—प्राथंता-पत्र बराये पंचायत रजिस्टर में नाम दर्ज करने बारे।

श्री प्रेम लाल पुत्र श्री सोनम, निवासी गांव करदग, कोठी गुमरग, तहसील लाहौल ने इस प्रदायन में प्राथंता-पत्र/पत्र सहित दायर किया है कि उसकी अपनी जन्म तिथि 25-5-1969 है का नाम व जन्म तिथि पंचायत परिवार रजिस्टर में दर्ज नहीं है। प्रतः अब दर्ज की जावे।

अतः इस इशतहार द्वारा समस्त जनता को सूचित किया जाता है कि उपरोक्त नाम व जन्म तिथि पंचायत रजिस्टर में दर्ज करने बारे यदि किसी को कोई आपत्ति हो तो वह दिनांक 5-5-2006 को प्रातः 10.00 बजे इस प्रदायन में प्रसावतन या वकालतन हाजिर होकर पैरवी कर सकता है तथा निश्चित तिथि पर कोई आपत्ति न करने पर एक तरफा कार्यवाही प्रमल में लाई जावेगी।

प्रातः दिनांक 5-4-2006 को हमारे हस्ताक्षर व मोहर प्रदायन में जारी हुआ।

साहूर।

राजीव कुमार,  
उप-मण्डल दण्डाधिकारी,  
लाहौल स्थान केलांग, जिला लाहौल स्पिति (हि0 प्र0)।

ब प्रदायन श्री जगदीश तमो, सहायक समाहर्ता द्वितीय श्रेणी, धर्मपुर, जिला मण्डी, हिमाचल प्रदेश

श्री प्रेम चन्द पुत्र श्री चमन लाल, निवासी ब बाकपाता स्योह, उप-तहसील धर्मपुर, जिला मण्डी, हिमाचल प्रदेश प्रतिवादी।

बनाम

आम जनता

उत्तमान मुकदमा—प्राथंता-पत्र दफ्तरी नाम।

प्राथी श्री प्रेम चन्द पुत्र श्री चमन लाल, निवासी स्योह, उप-तहसील धर्मपुर ने एक प्राथंता-पत्र इस प्रदायन में प्रस्तुत

किया है कि उनके पिता का नाम राजेश्वर प्रभिलाल में जमा-  
राज वर्ज है जो कि जलन बने चला आ रहा है। जबकि  
प्राची के पिता का सही नाम जगत लाल है जिसका पट्टि हेतु  
प्राची ने अपना ध्यान हटिका, नकल परिवार रजिस्टर व नकल  
जमाकन्द। सोलन प्रान्त कर रखी है।

अतः इस नोटिस द्वारा हर आम व खास को सूचित किया  
जाता है कि यदि किसी को उक्त नाम बतान करने बारे कोई  
उज्जर/एनराज हो तो वह दिनांक 8-5-2006 को यथावत या  
बकालतन हाजिर होकर अपना उज्जर/एनराज पेश कर सकता है।  
उसके उपरान्त कोई उज्जर/एनराज नहीं सुना जाएगा और  
प्रार्थनापत्र का निराकार नियमावली कर दिया जाएगा।

आज दिनांक 3-4-06 को हमारे हस्ताक्षर व मोहर अदालत में  
जारी हुआ।

मोहर।

जगदीश जग्गी,  
सहायक समाहर्ता द्वितीय श्रेणी धर्मपुर,  
जिला मण्डा, हिमाचल प्रदेश।

य प्रदातन श्री किशोरी लाल, सहायक समाहर्ता, प्रथम श्रेणी, जो० नगर,  
जिला मण्डा, हिमाचल प्रदेश

व मुकद्दमा :

श्री कश्मीर सिंह पुत्र स्व० श्री मोती राम, निवासी शानत,  
तहसील जो० नगर, जिला मण्डा, हिमाचल प्रदेश प्राची।

बनाम

1. श्री टेक चन्द पुत्र श्री निता राम, 2. श्री हंस राज पुत्र  
श्री निता राम, 3. श्री लच्छमन पुत्र श्री विगे सिंह, 4. श्री जगद्व  
पुत्र श्री गणपत, सभी निवासी चन्दनो कण्ठी, 5. श्री रंज रात्र  
पुत्र श्री रणिल राम, निवासी जो० नगर, 6. हिमाचल प्रदेश  
सरकार बर्खास्त समाहर्ता मांडी, जिला मण्डा, 7. श्री भूप सिंह  
पुत्र श्री अणु, निवासी शानत।

विषय:—इस्तकाल नं० 82, खारजी प्रदेश 17-7-2003 बारे  
प्रार्थनापत्र।

उपरोक्त मुकद्दमा उतवानेवाला में प्राची श्री कश्मीर सिंह पुत्र  
स्व० श्री मोती राम, निवासी शानत, तहसील जो० नगर, जिला  
मण्डा, हिमाचल प्रदेश ने प्रार्थनापत्र गुजारा है। आता नं० 282,  
खतोरी नं० 57/86 मुहान शानत का इन्हाल वर्ज करवाना  
चाहता है, जिस बारे उपरोक्त फरीकदीयम को समन जारी किये गये  
परन्तु फरीकदीयम का सही पता न होने के कारण तामील नहीं हो  
पा रही है। जिसमे साफ जाहिर है कि उनकी तामील सही ढंग  
से नहीं हो रही है।

अतः उपरोक्त फरीकदीयम को बर्खास्त इस्तहार राजात्र हिमाचल  
प्रदेश द्वारा सूचित किया जाता है कि वह दिनांक 4-5-2006  
को सुबह 10.00 बजे असावतन या बकालतन हाजिर आकर  
पैखी मुकद्दमा करे अन्यथा हाजिर न आने की सूत में एक  
नरका कार्यवाही अमल में लाई जायेगी।

आज दिनांक 9-3-2006 को मेरे हस्ताक्षर व मोहर  
अदालत द्वारा जारी किया गया।

मोहर।

किशोरी लाल,  
सहायक समाहर्ता प्रथम श्रेणी,  
जो० नगर, जिला मण्डा (हि० प्र०)।

प्रदातन कार्यकारी दण्डाधिकारी, जोगिन्दरनगर, तहसील जोगिन्दरनगर  
जिला मण्डा, हिमाचल प्रदेश

व मुकद्दमा

किशोरी लाल मुपुत्र श्री जगत राम, निवासी मछाल (बल्ह),  
शकधर बल्ह जोली, तहसील जोगिन्दरनगर, जिला मण्डा, हिमाचल प्रदेश।

बनाम

पाम जनता

दरबान्त जेर दका 13(3) जन्म एवं मृत्यु प्रमाण हेतु।

यह उपरोक्त मुकद्दमे में प्राची श्री किशोरी लाल मुपुत्र श्री जगत  
राम, निवासी मछाल बल्ह, शकधर बल्ह जोली, तहसील जोगिन्दरनगर,  
जिला मण्डा हिमाचल प्रदेश है। प्राची ने इस अदालत में दरबान्त  
की है कि उसकी दोपती कामल गर्मा मुपुत्री श्री विनाल गर्मा का  
जन्म पञ्चायत रजिस्टर में गलती से दर्ज नहीं करवाया गया है। अब  
दर्ज किया जाए। उसकी दोपती का जन्म 13-10-2002 को  
गाव गरोह, तहसील जोगिन्दरनगर, जिला मण्डा में हुआ है।

अतः इस नोटिस द्वारा समस्त जना तथा सम्बन्धित रिश्तेदारों  
को सूचित किया जाता है कि यदि किसी को इसका नाम दर्ज करने  
बारे आपत्ति या उज्जर हो तो वह दिनांक 5-5-2006 सपर 10:00  
बजे प्रातः स्वयं प्रयाग किमा वॉलिन के माध्यम से हमारे समक्ष अदालत  
में हाजिर होकर पेश करें अन्यथा एकतरफा कार्यवाही अमल में  
लाई जायेगी।

आज दिनांक 18-4-2006 को हमारे हस्ताक्षर व मोहर  
जारी किया गया।

मोहर।

कार्यकारी दण्डाधिकारी,  
जोगिन्दरनगर, तहसील जोगिन्दरनगर,  
जिला मण्डा (हि० प्र०)।

In the Court of Shri Padam Singh Thakur, Civil Judge,  
(Senior Division) Karsog, Tehsil Karsog, District Mandi,  
Himachal Pradesh

In the matter of :—

1. Mini Devi wife of Shri Dharam Dass, r/o Village  
Mahaban, Illaqua Ramgarh, Tehsil Karsog, District  
Mandi (H.P.)

2. Minor Diwan Chand son of Late Shri Harpal,  
through her next friend her mother r/o Village Mahaban,  
Illaqua Ramgarh, Tehsil Karsog, District Mandi,  
(H. P.)

Petitioner.

Versus

General Public

Application under section 372 of Indian Succession  
Act for the grant of Succession Certificate.

Whereas in the above noted case the petitioner has  
filed an application in this Court under section 372  
of the Indian Succession Act in respect of Rs. 25000/-  
as special grant deposited before SDO (Civil) Karsog  
sanctioned in favour of the applicants on the sudden  
death of Harpal Singh deceased alongwith interest upto  
date, any other dues payable by any other financial  
institution.

Hence, this proclamation hereby issued to the  
General public of the Illaqua and relatives of the  
deceased to file objection, if any, on or before 10-6-2006  
10.00 A.M. in this court personally or through an  
authorized agent/counsel, failing which successions  
petition will be heard and disposed of ex parte.

Given under my hand and seal of this court  
this 7th day of April, 2006.

Seal.

PADAM SINGH,  
Civil Judge (Sr. Division),  
Karsog, District Mandi, Himachal Pradesh.

व प्रदातन श्री एम० एल० बल्ह, नायब तहसीलदार एवं कार्यकारी  
दण्डाधिकारी उप-तहसील कोटली, जिला मण्डा, हिमाचल प्रदेश

निकी देवी

बनाम

पाम जनता



दरकवास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती निक्की देवी पत्नी श्री भीष्म, निवासी कोटली, डाकघर कोटली, उप-तहसील कोटली ने इस न्यायालय में एक प्रार्थना-पत्र प्रस्तुत किया है जिसमें प्राग्रह किया है कि प्राथिका के सड़के गोर सिंह की मृत्यु 28-10-2005 को हुई है। परन्तु मृत्यु तिथि ग्राम पंचायत कोटली में दर्ज नहीं हुई है। मृत्यु पंजीकरण के आदेश दिये जायें।

धतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर/एतराज हो तो वह दिनांक 6-5-2006 को सुबह 10.00 बजे या इससे पूर्व प्रसालन व वकालतन हाजिर होकर पेश करें अन्यथा कार्यवाही एक तरफा प्रमल में लाई जायेगी।

आज दिनांक 2-3-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर। एस0 एल0 बन्सल,  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
उप-तहसील कोटली, जिला मण्डी (हि0 प्र0)।

ब प्रदालत श्री किशोरी लाल, कार्यकारी दण्डाधिकारी जोगिन्दरनगर,  
जिला मण्डी, हिमाचल प्रदेश

ब मुकद्दमा :

श्री सुनील दत्त पुत्र स्व0 श्री इन्द्र सिंह ठाकुर, निवासी डोल,  
तहसील जोगिन्दरनगर, जिला मण्डी (हि0 प्र0) ... प्रार्थी।

बनाम

ग्राम जनता ... प्रत्यार्थी।

आवेदन-पत्र जेर धारा 40/41 भारतीय पंजीकरण अधिनियम,  
1969.

उपरोक्त मुकद्दमा में प्रार्थी श्री सुनील दत्त पुत्र स्व0 श्री इन्द्र सिंह ठाकुर, निवासी डोल, तहसील जोगिन्दरनगर, जिला मण्डी (हि0 प्र0) ने इस अदालत में एक प्रार्थना-पत्र प्रस्तुत करते हुये निवेदन किया है कि श्री इन्द्र सिंह ने एक वसीयत उनके हक में लिखवाई है जिस पंजीकृत किया जावे।

धतः इस इशतहार द्वारा ग्राम जनता को सूचित किया जाता है कि उपरोक्त वसीयत को पंजीकृत करने बारा किसी को कोई एतराज हो तो वह प्रसालन या वकालतन दिनांक 4-5-2006 को सुबह 10.00 बजे इस अदालत में उपस्थित होकर अपना एतराज प्रस्तुत कर सकता है। इसके प्रतिरिक्त किसी रिश्तेदार/सम्बन्धी को कोई एतराज हो तो वह भी 3-5-2006 को इस अदालत में प्रसालन या वकालतन हाजिर होकर अपना एतराज प्रस्तुत कर सकता है। हाजिर न आने की सूचना व वसीयत को पंजीकृत करने बारा आदेश पारित कर दिये जायेंगे।

आज हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर। किशोरी लाल,  
कार्यकारी दण्डाधिकारी,  
जोगिन्दरनगर, जिला मण्डी (हि0 प्र0)।

न्यायालय श्री चूडामणी, सहायक समाहर्ता द्वितीय श्रेणी, सरकाघाट,  
जिला मण्डी, हिमाचल प्रदेश

मुकद्दमा जीर्णक :

श्री टेक चन्द पुत्र श्री महन्त राम, निवासी मुहाल चनोहली,  
ईलाका भदरोटा, तहसील सरकाघाट, जिला मण्डी (हि0 प्र0)  
... प्रार्थी।

बनाम

ग्राम जनता ... करीबदाम।

प्रार्थना-पत्र दरस्ती नाम मुहाल चनोहली/399.

उपरोक्त प्रार्थी श्री टेक चन्द पुत्र श्री महन्त राम, निवासी चनोहली ने इस न्यायालय में प्रार्थना-पत्र पेश किया है कि उनका सही नाम टेक चन्द है जो उसके शिक्षा तथा पञ्चातन गिर्ताई में सही दर्ज है परन्तु राजस्व अभिलेख मुहाल चनोहली/399 में गढ़ गलती से गुर प्रसाद दर्ज हुआ है।

धतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम की दरस्ती बारे कोई उजर/एतराज हो तो वह दिनांक 8-5-2006 को या इससे पूर्व इस न्यायालय में आकर प्रस्तुत करें अन्यथा कार्यवाही एक पक्षीय प्रमल में लाई जाकर दरस्ती आदेश पारित कर दिए जायेंगे।

आज दिनांक 12-4-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

चूडामणी,  
सहायक समाहर्ता द्वितीय श्रेणी,  
सरकाघाट, जिला मण्डी (हि0 प्र0)।

ब प्रदालत श्री पंकज राय, स्पेशल मैरिज अधिकारी (एस0 डी0एम0),  
मुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

ब मुकद्दमा :

(1) श्री कुलदीप सिंह सैन गुपुत्र श्री गुनाव सिंह सैन, निवासी चौगान, डा0 पुराना बाजार, तहसील मुन्दरनगर, जिला मण्डी (हि0 प्र0)।

(2) श्रीमती कल्पना ठाकुर सुपुत्री श्री कंवर सिंह, निवासी जदवारी, डा0 कलौटी, तहसील चड़गांव, जिला शिमला (हि0 प्र0) ... प्रार्थीगण।

बनाम

ग्राम जनता ... प्रतिवादीगण।

प्रार्थना-पत्र जेर धारा 15 स्पेशल मैरिज ऐक्ट, 1954 के अन्तर्गत विवाह पंजीकरण करने बारे।

उपरोक्त मामला में प्रार्थीगण उपरोक्त ने दिनांक 24-3-2006 को इस न्यायालय में प्रार्थना-पत्र पेश किया है कि उन्होंने दिनांक 1-12-2000 को हिन्दू रीति-रिवाज के अनुसार स्थान कामका माता मन्दिर जे देवी में शादी कर ली है और तब से पति-पत्नी के रूप में रहते चले आ रहे हैं। इसलिए जेर धारा 15 स्पेशल मैरिज ऐक्ट, 1954 के अनुसार उनका विवाह पंजीकृत किया जावे।

धतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर/एतराज हो तो वह दिनांक 8-5-2006 को समय 10.00 बजे सुबह या इससे पूर्व प्रसालन या वकालतन हाजिर अदालत होकर पेश करें अन्यथा दीगर कार्यवाही एक तरफा प्रमल में लाई जायेगी।

आज दिनांक 4-4-2006 को हमारे हस्ताक्षर व मोहर न्यायालय से जारी किया गया।

मोहर।

पंकज राय,  
स्पेशल मैरिज अधिकारी,  
मुन्दरनगर, जिला मण्डी (हि0 प्र0)।

PROCLAMATION UNDER ORDER 5, RULE 20, CPC

In the Court of Shri Jai Lal Azad, Civil Judge (Jr. Division), Court No. 1, Rohru, District Shimla

Civil Suit 1/5 of 06

Shri Suraj Parkash s/o Shri Janki Dass, r/o Village Khangter, Tehsil Rohru.

Vernis

General Public and others.

Suit for : Application for the grant of Succession Certificate of Late Shri Janki Dass, deceased.

Notice to :

2. Shri Chander Singh, 3. Shri Rai Singh, 4. Shri Baldev Singh all sons of late Shri Janki Dass, r/o Village Khangteri, Tehsil Rohru, District Shimla, H. P., 5. Smt. Satya Devi w/o Shri Mohinder Singh, r/o Village Karetli, Tehsil Rohru, 6. Smt. Indira Devi w/o Shri Himat Singh, r/o Village Gadie, Tehsil Rohru, 7. Smt. Usha Devi w/o Shri Surinder Kumar r/o Village Bhalara, Tehsil Rohru, District Shimla, H. P., 8. Shri Sandeep Kumar s/o late Shri Pyare Lal, r/o Village Khangteri, Tehsil Rohru, 9. Smt. Liaqu Devi, 10. Smt. Sundlu Devi both wives of Late Shri Janki Dass, r/o Village Khangteri, Tehsil Rohru.

Whereas in the above noted case it has been proved to the satisfaction of the court that above named defendant/defendants is/are avoiding service of summons can not be served in the ordinary way. Hence this proclamation is hereby issued against him/ them to appear in this court 8-5-2006 at 10.00 A.M. to defend the case personally or through an authorised agent or pleader failing which *ex-parte* proceedings will be taken against him/them.

Given under my hand and the seal of the court this 3rd day of April, 2006.

Seal.

JAI LAL AZAD.  
Civil Judge Junior Division,  
Rohru, District Shimla (H. P.),

ब अदालत श्री गोपाल चन्द, उप-मण्डल दण्डाधिकारी, टिथोग, जिला शिमला (हि 0 प्र 0)

श्रीमती कमला देवी पत्नी श्री सन्त लाल, ग्राम सनैल, ग्राम पंचायत कलबोग, तहसील कोटबाई, जिला शिमला प्राथिया ।

बनाम

ग्राम जनता

प्रत्यार्थी ।

आवेदन-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती कमला पत्नी श्री सन्त लाल, ग्राम सनैल, ग्राम पंचायत कलबोग, तहसील कोटबाई, जिला शिमला, हि 0 प्र 0 ने अपनी पुत्री श्रीमती अनुराधा जिसकी जन्म तिथि 28-2-1983 है को परिवार रजिस्टर ग्राम पंचायत कलबोग में दर्ज करवाने हेतु प्रार्थना-पत्र गुजारा रखा है ।

अतः इस इशतहार के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि इस बारा किसी व्यक्ति अथवा रिश्तेदार को कोई एतराज हो तो वह दिनांक 4-5-2006 को प्रातः 10 बजे हाजिर अदालत आकर अपना एतराज पेश करें अन्यथा दीगर कार्यवाही अमल में लाई जाएगी ।

आज दिनांक 27-3-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया ।

मोहर ।

गोपाल चन्द,  
उप-मण्डल दण्डाधिकारी,  
टिथोग, जिला शिमला ।

ब अदालत श्री गोपाल चन्द, उप-मण्डल दण्डाधिकारी टिथोग, जिला शिमला (हि 0 प्र 0)

श्री लायक राम पुत्र श्री राम सिंह, ग्राम पालठ, ग्राम पंचायत सरोवन, तहसील कोटबाई, जिला शिमला प्राथिया ।

बनाम श्री प्रेम दास पुत्र श्री माटू राम, निवासी ग्राम देवल टिकरी, डाकघर कुज्जी, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ।

श्री लायक राम पुत्र श्री राम सिंह, ग्राम पालठ, ग्राम पंचायत सरोवन, तहसील टिथोग, जिला शिमला (हि 0 प्र 0) ने अपनी पुत्री पालू जिसकी जन्म तिथि 29-12-2000 है का परिवार रजिस्टर ग्राम पंचायत सरोवन में दर्ज करवाने हेतु प्रार्थना-पत्र गुजारा रखा है ।

अतः इस इशतहार के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति अथवा रिश्तेदार को कोई एतराज हो तो वह दिनांक 4-5-2006 को प्रातः 10.00 बजे हाजिर अदालत आकर अपना एतराज पेश करें अन्यथा दीगर कार्यवाही अमल में लाई जाएगी ।

आज दिनांक 27-3-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया ।

मोहर ।

गोपाल चन्द,  
उप-मण्डल दण्डाधिकारी, टिथोग,  
जिला शिमला (हि 0 प्र 0) ।

ब अदालत श्रीमती सुषमा वत्स, तहसीलदार एवं कार्यकारी दण्डाधिकारी पच्छाद, जिला सिरमौर, हिमाचल प्रदेश

श्री श्रीम सिद्ध सुपुत्र श्री स्वच्छा सिद्ध, निवासी ग्राम भरमूर, डाकघर ठाकुरद्वारा, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश ।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री श्रीम सिद्ध सुपुत्र श्री स्वच्छा सिद्ध, निवासी ग्राम भरमूर, डाकघर ठाकुरद्वारा, तहसील पच्छाद ने इस अदालत में प्रार्थना-पत्र मय शपथ-पत्र गुजारा है कि उसके पुत्र सागर सिंह का जन्म मिति 1-4-2001 को हुआ है जिसका इन्दाज ग्राम पंचायत जामन को सेर, तहसील पच्छाद में दर्ज नहीं हुआ है ।

अतः इस इशतहार द्वारा हर ग्राम व खास को सूचित किया जाता है कि यदि किसी को उक्त नाम व जन्म तिथि पंचायत रिकार्ड में दर्ज करने बारे कोई एतराज हो तो वह दिनांक 6-5-2006 को या इससे पूर्व अदालत में हाजिर होकर अपना एतराज पेश कर सकता है अन्यथा सचिव, ग्राम पंचायत को सम्बन्धित उक्त नाम व तिथि दर्ज करने बारे आदेश जारी कर दिये जायेंगे ।

आज दिनांक 25-3-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

सुषमा वत्स,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
पच्छाद, जिला सिरमौर (हि 0 प्र 0) ।

ब अदालत श्रीमती सुषमा वत्स, तहसीलदार एवं कार्यकारी दण्डाधिकारी पच्छाद, जिला सिरमौर, हिमाचल प्रदेश

श्री प्रेम दास सुपुत्र श्री माटू राम, निवासी ग्राम देवल टिकरी, डाकघर कुज्जी, तहसील पच्छाद, जिला सिरमौर, हिमाचल प्रदेश

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री प्रेम दास पुत्र श्री माटू राम, निवासी ग्राम देवल टिकरी, डाकघर कुज्जी, तहसील पच्छाद ने इस अदालत में प्रार्थना-पत्र मय शपथ-





(0-16), 1238 (1-01), 1242 (1-07), 1218 (3-13), 1247 (0-16), 1211 (4-00), 1278 (1-08) तथा ख 0 न 0 1654/1262 (9-02), 1796/1276 (0-12), 1277 (3-00) (12-14 बीघा) का 1/2 भाग 6-07 बीघा तथा ख 0 न 0 1246 (6-16), 1231 (1-03), 1203 (7-07), 1185 (2-15), 1198 (3-02) कुल तादादी 71-13 बीघा भूमि मोजा मानपुरा, तहसील नालागढ़, जिला सोलन पर उद्योग स्थापित करने हेतु स्वीकृति प्रदान की गई थी। यह भी ध्यान में लाया गया है कि कम्पनी को कुल 150 बीघा भूमि क्रय करने की अनुमति प्रदान की गई थी परन्तु कम्पनी ने केवल 131-4 बीघा भूमि ही क्रय की जो नियम के खिलाफ है तथा कम्पनी ने 131-4 बीघा भूमि में से कुछ भूमि विक्रय कर दी और अब कम्पनी के पास 71-13 बीघा भूमि ही बकाया में है जबकि उद्योग विभाग ने कम्पनी को 150 बीघा भूमि का अनिवार्य प्रमाण-पत्र दिया गया था तथा सरकार ने 150 बीघा भूमि पर दो वर्ष के भीतर उद्योग स्थापित करने की शर्त लगाई थी यह भी प्रतीत होता है कि म 0 दीपक कोटवस प्रा 0 लि 0 भूमि का क्रय-विक्रय का कार्य कर रही है जो हिमाचल प्रदेश मृजारियत एवं भू-सुधार अधिनियम की धारा 118 की उल्लंघना है।

तथा चूंकि आप द्वारा जो यह कार्यवाही की गई है वह हिमाचल प्रदेश मृजारियत एवं भू-सुधार अधिनियम की धारा 1972 जिसे हिमाचल प्रदेश मृजारियत एवं भू-सुधार (संशोधित) अधिनियम, 1987 जो दिनांक 14-04-1988 में लागू हो गया है, की अवहेलना है। इस व्यवस्था के अनुसार जो भूमि इस केस में विवादग्रस्त है मय उस पर बने भवन इत्यादि प्रदेश सरकार को बिना किसी प्रतिघन आदि के नाम जन्त की जा सकती है जैसा की संशोधित अधिनियम की धारा 118(3) में व्यवस्था है।

इसलिए आपको इस नोटिस द्वारा एक मौका दिया जाता है कि आप कारण बताए की क्यों न उपरोक्त कानून व्यवस्था के अधीन उपरोक्त भूमि तथा इस पर बने भवन इत्यादि को बहक सरकार जन्त किया जाए। आपको यह भी आदेश दिए जाते हैं कि इस न्यायालय से दिनांक 06-05-2006 को निर्धारित प्राधिकृत प्रतिनिधि या अधिवक्ता द्वारा हाजिर आकर अपना उत्तर दस्तावेज सहित दाखिल करें अन्यथा आपके विरुद्ध एकतरफा कार्यवाही प्रमल में लाई जाएगी तथा केस में विधि प्रसार प्रमाणों कार्यवाही की जाएगी।

आज दिनांक 03-04-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

हस्ताक्षरित/-  
जिला समाहर्ता,  
सोलन, जिला सोलन, (हि 0 प्र 0)।

प्रमाणित, तहसीलदार, सोलन, जिला सोलन, हिमाचल प्रदेश

इसलिए आपका नाम, इन्द्रजीत कौर एवं अरुणा इन्द्रजीत रावत तकसीम।

हमारे एकसम हजा बाबत खसरा नम्बरान 871, 872, 894 895, 898 व 899, कितला 6, तादादी रकबा 3722 वर्ग मीटर, बाबा प्रोसा देह, तहसील व जिला सोलन में श्री रामेश कुमार पुत्र श्री ज्ञान चन्द, निवासी ग्राम राणाघाट, तहसील राजगढ़, जिला सोलन (हि 0 प्र 0) को कि उपरोक्त अराजी में 1 हिस्सा का मालिक है न दरखाना मिलाई है जिसमें उक्त हजा है कि उनके साथ उपरोक्त अराजी में श्रीमती इन्द्रजीत कौर विधवा मुखपाल सिंह व अरुणा पत्नी मुखपाल सिंह निस्फ की मालिक है इन्हें तहसील हजा में तीन बार समझौते किए गए हैं कि वह उपरोक्त तकसीम बारे अदालत हजा में हाजिर होंगे किन्तु हाजिर नहीं आए। उनके अजबदाकान नकल/मिर-मनकला बारा दिहनी अदालत का फैसला भी हुआ है।

अतः इस हथहार द्वारा सर्व साधारण एवं आम जनता को सूचित किया जाता है कि यदि उपर्युक्त तकसीम में कोई कमी या त्रुटि है तो वह अदालत में दर्ज करवाई जा सकती है। अन्यथा 03-04-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

तक पेश करें वरन् एकतरफा कार्यवाही प्रमल में लाई जाकर उपरोक्त अराजी की तकसीम कर दी जाएगी।

मोहर।

हस्ताक्षरित/-  
तहसीलदार,  
सोलन, जिला सोलन, हिमाचल प्रदेश।

ब अदालत श्री विनय मोदी, कार्यकारी दण्डाधिकारी कण्डाघाट, जिला सोलन, हिमाचल प्रदेश

श्री भरत राम पुत्र श्री हेत राम, निवासी ग्राम डूह, तहसील कण्डाघाट, जिला सोलन (हि 0 प्र 0)

बनाम

आम जनता

प्रत्यार्थी।

विषय—प्राथना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने बारे।

श्री भरत राम पुत्र श्री हेत राम, निवासी ग्राम डूह, तहसील कण्डाघाट, जिला सोलन (हि 0 प्र 0) ने इस न्यायालय में शपथ-पत्र सहित प्राथना-पत्र दिया है कि उसकी पुत्री आशिता की जन्म तिथि 1-1-2001 है जिसका जन्म डूह गांव में हुआ है लेकिन जन्म तिथि समय पर ग्राम पंचायत ममलीग के अभिलेख में दर्ज नहीं करवाई जा सकी है। अब पंजीकरण करने के आदेश जारी किये जायें।

अतः इस इशतहार द्वारा सर्वसाधारण एवं आम जनता को सूचित किया जाता है कि यदि किसी को इस बारे कोई उज्र या एतराज हो तो वह दिनांक 10-5-2006 को सुबह 10.00 बजे या इससे पूर्व किसी भी कार्य दिवस के दिन असातन या वकालतन हाजिर अदालत आकर एतराज पेश कर सकता है अन्यथा अदम हाजरी में कार्यवाही के तरफा प्रमल में लाई जाएगी और उपरोक्त आशिता का नाम एवं जन्म तिथि सम्बन्धित के रजिस्ट्रार जन्म एवं मृत्यु को दर्ज करने के आदेश जारी कर दिये जायेंगे।

आज दिनांक 10-4-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

विनय मोदी,  
कार्यकारी दण्डाधिकारी  
कण्डाघाट, जिला सोलन (हि 0 प्र 0)।

ब अदालत श्री विनय मोदी, कार्यकारी दण्डाधिकारी, कण्डाघाट, जिला सोलन, हिमाचल प्रदेश

श्रीमदन कोशल पुत्र श्री सीता राम, निवासी ग्राम साथरी, तहसील कण्डाघाट, जिला सोलन, हिमाचल प्रदेश

बनाम

आम जनता

प्राथना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने बारे।

श्रीमदन कोशल पुत्र श्री सीता राम, निवासी ग्राम साथरी, तहसील कण्डाघाट, जिला सोलन (हि 0 प्र 0) ने इस न्यायालय में शपथ-पत्र सहित प्राथना-पत्र दिया है कि उसकी पुत्री कुमारी मुस्कान की जन्म तिथि 30-8-2000 है जिसका जन्म साथरी गांव में हुआ है लेकिन जन्म तिथि समय पर ग्राम पंचायत साथरी के अभिलेख में दर्ज नहीं करवाई जा सकी है। अब पंजीकरण करने के आदेश दिए जायेंगे।

अतः इस इशतहार द्वारा सर्व साधारण एवं आम जनता को सूचित किया जाता है कि यदि किसी को इस बारे कोई उज्र या एतराज हो तो वह दिनांक 10-5-2006 को सुबह 10.00 बजे या इससे पूर्व किसी भी कार्य दिवस के दिन असातन या वकालतन हाजिर अदालत आकर एतराज पेश कर सकता है अन्यथा अदम हाजरी में कार्यवाही के तरफा प्रमल में लाई जाएगी और उपरोक्त कुमारी का नाम एवं जन्म तिथि सम्बन्धित के रजिस्ट्रार जन्म एवं मृत्यु को दर्ज करने के आदेश जारी कर दिये जायेंगे।

या एतराज हो तो वह दिनांक 10-5-2006 को प्रातः 10.00 बजे या इससे पूर्व किसी भी कार्य दिवस के दिन अमालतन या बकालतन हाजिर अदालत आकर एतराज पेश कर सकता है अन्यथा अदम हाजरी में कार्यवाही एकतरफा अमल में लाई जाएगी और उपरोक्त कुमारी मुरकान का नाम एवं जन्म तिथि सम्बन्धित के रजिस्ट्रार जन्म एवं मृत्यु को दर्ज करने के आदेश जारी कर दिए जाएंगे।

आज दिनांक 10-4-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

विनय मोदी,  
कार्यकारी दण्डाधिकारी,  
कण्डाघाट, जिला सोलन (हि0 प्र0)

ब अदालत श्री विनय मोदी, कार्यकारी दण्डाधिकारी, कण्डाघाट, जिला सोलन, हिमाचल प्रदेश

श्री प्रेम चन्द पुत्र श्री परम राम, निवासी ग्राम बड़न, तहसील कण्डाघाट, जिला सोलन, हिमाचल प्रदेश

बनाम

अनरल पब्लिक/जनसाधारण

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत मृत्यु तिथि दर्ज करने बारे।

श्री प्रेम चन्द पुत्र श्री परम राम, निवासी ग्राम बड़न, तहसील कण्डाघाट, जिला सोलन, हिमाचल प्रदेश ने दरदबास्त गुजारी है कि उसकी माता श्रीमती चायनू पत्नी श्री परम राम, निवासी ग्राम बड़न, तहसील कण्डाघाट, जिला सोलन की मृत्यु दिनांक 8-1-2006 को ग्राम तुन्दल, तहसील कण्डाघाट, जिला सोलन में हुई थी परन्तु किसी कारणों से उपरोक्त मृतक श्रीमती चायनू पत्नी श्री परम राम का मृत्यु इन्द्राज सम्बन्धित ग्राम पंचायत तुन्दल, में नहीं कराया जा सका सका जिसे अब करवाने के आदेश सादर किये जायें।

अतः इस इशतहार राजपत्र द्वारा हर खास व आम को सूचित किया जाता है कि यदि किसी को उपरोक्त मृतक श्रीमती चायनू पत्नी श्री परम राम, निवासी ग्राम बड़न, तहसील कण्डाघाट, जिला सोलन का इन्द्राज ग्राम पंचायत तुन्दल, में दर्ज करवाने बारे कोई एतराज हो तो दिनांक 10-5-2006 को प्रातः 10 बजे अमालतन या बकालतन हाजिर अदालत आकर पेश करें अन्यथा अदम हाजरी गैर हाजरी में कार्यवाही एकतरफा अमल में लाई जायेगी और मृतक उपरोक्त श्रीमती चायनू का मृत्यु इन्द्राज तिथि सम्बन्धित रजिस्ट्रार जन्म एवं मृत्यु को दर्ज करने के आदेश जारी कर दिये जायेंगे।

आज दिनांक 10-4-2006 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

विनय मोदी,  
कार्यकारी दण्डाधिकारी,  
कण्डाघाट, जिला सोलन, हिमाचल प्रदेश।

ब अदालत श्री अशोक चौहान, तहसीलदार एवं भू-सुधार अधिकारी तहसील बंगाणा, जिला ऊना, हिमाचल प्रदेश

श्री ओंकार चन्द पुत्र श्री रतन चन्द, निवासी गांव भलेन, तप्पा भुञ्जाली, तहसील बंगाणा, जिला ऊना (हि0 प्र0)

बनाम

ग्राम जनता

प्रार्थना-पत्र दाबत नाम दरदबास्त कागजात माल ओंकार सिंह की बजाए ओंकार चन्द।

श्री ओंकार चन्द पुत्र श्री रतन चन्द, निवासी गांव भलेन तप्पा भुञ्जाली, तहसील बंगाणा, जिला ऊना ने इस न्यायालय में प्रार्थना-पत्र गुजारा है कि उसका नाम पंचायत रिकार्ड, स्कूल प्रमाण-पत्र व कागजात माल की जमाबन्दी में ओंकार चन्द दरदबास्त दर्ज है, परन्तु कागजात माल के शजरा नम्बर में उसका नाम ओंकार सिंह पुत्र रतन चन्द गलत दर्ज चला आ रहा है। इसलिए मेरा नाम कागजात माल के शजरा नम्बर में ओंकार सिंह की बजाए ओंकार चन्द दरदबास्त दर्ज करने के आदेश पारित किए जावें। जो कि मही है।

अतः सर्वसाधारण को इस इशतहार मुनादी के माध्यम से सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त नाम दरदबास्ती में कोई आपत्ति या एतराज हो तो वह निश्चित तिथि दिनांक 5-5-06 को इस न्यायालय में प्रातः 10.00 बजे अमालतन या बकालतन उपस्थित आकर अपनी आपत्ति या एतराज प्रस्तुत कर सकता है। हाजिर न आने की सूरत में नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 1-4-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

अशोक चौहान  
तहसीलदार एवं भू-सुधार अधिकारी,  
तहसील बंगाणा, जिला ऊना (हि0 प्र0)।

ब अदालत श्री पी0 सी0 शर्मा, नायब तहसीलदार एवं कार्यकारी, दण्डाधिकारी, बंगाणा, जिला ऊना, हिमाचल प्रदेश

श्रीमती कान्ता देवी पत्नी श्री रमेश चन्द, निवासी टीका परनोलिया सन्हाल, तप्पा टीहरा, तहसील बंगाणा, जिला ऊना, हिमाचल प्रदेश

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती कान्ता देवी पत्नी श्री रमेश चन्द, निवासी गांव परनोलिया सन्हाल, तप्पा टीहरा, तहसील बंगाणा, जिला ऊना ने इस न्यायालय में प्रार्थना-पत्र गुजारा है कि उसकी माता श्रीमती दलम्बी देवी पत्नी मिलखी राम की मृत्यु दिनांक 15-12-2005 को हो चुकी है। अज्ञानतावश वह अपनी सास की मृत्यु तिथि ग्राम पंचायत बल्ह में दर्ज न करवा सकी है। इसलिए उसे दर्ज करने के आदेश पारित किए जावें। जो कि मही है।

अतः सर्वसाधारण को इस इशतहार मुनादी द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त मृत्यु तिथि दर्ज करने में कोई एतराज या आपत्ति हो तो वह निश्चित दिनांक 8-5-2006 को इस न्यायालय में प्रातः 10.00 बजे अमालतन या बकालतन उपस्थित आकर अपनी आपत्ति या एतराज प्रस्तुत कर सकता है। हाजिर न आने की सूरत में नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 31-3-2006 को मेरे हस्ताक्षर व मोहर अदालत जारी किया गया।

मोहर।

पी0 सी0 शर्मा,  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
तहसील बंगाणा, जिला ऊना (हि0 प्र0)।

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी ऊना, जिला ऊना (हि0 प्र0)

मुकद्दमा नम्बर: जन्म तिथि प्रमाण-पत्र।

बहादुर सिंह

बनाम

ग्राम जनता

दरदबास्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम जनता धाम।

श्री महाश्वर सिंह पुत्र श्री धरम धाम, निवासी मजोवाल तहसील ऊना, जिला ऊना ने इस न्यायालय में दरखास्त की है कि उनके पुत्र हरजोत सिंह का जन्म गांव बूचोवाल में दिनांक 2-2-2003 को हुआ था। परन्तु इस बारे में पंचायत के विचारों में पंजीकरण करवाया जा सका। अब पंजीकरण करने के आदेश दे दिए जायें।

धन: यह नोटिस के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त बच्चे के जन्म पंजीकरण बारे कोई उजर व एराज हो तो वह दिनांक 8-5-2008 को प्रातः 10.00 बजे अधोहस्ताक्षरी के समक्ष घमावान या नकालतन हाजिर धाकर पेश कर सकता है अन्यथा उपरोक्त जन्म पंजीकरण करने के आदेश दे दिए जाएंगे।

थाज दिनांक 7-4-2008 को हस्ताक्षर मेरे व मोहर धवाला द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/-  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
ऊना, जिला ऊना (हि० प्र०)।

व घवाला नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, तहसील ऊना हिमाचल प्रदेश

मुकद्दमा नम्बर इस्तकाल नम्बर 7/2-पञाबर, तहसील ऊना, मकतून-उल-खवरी बरालत गुरनाम पुत्र हरनामा पुत्र पुत्र लेख, निवासी पंजाब बहक बरगान।

उनवाल मुद्दमा

नवमी देवी

बनाम

धाम जनता

नोटिस बनाम धाम जनता।

मुकद्दमा उनवानवाला में आम जनता को सूचित किया जाता है कि श्रीमती नवमी देवी विधवा हरनामा जति धधमी, निवासी गांव पञाबर, तहसील व जिला ऊना में घवालात हुआ में बरबालत गजारी है कि उनका पुत्र गुरनाम पुत्र हरनामा धरमा करोब 18 साल ल लापता है तथा एक जोरित होन या न होन का कोई इल्म न है। इसलिए उनका बरालत का इस्तकाल वज व तस्वीक करवाया जाय। बाद खानवान गुरनाम पुत्र हरनामा की बरालत का इस्तकाल नम्बर 7/2 बहक जायम बरमान तब कर दिया गया है, जो कि जेरे फैमला है।

निहाजा इस नोटिस के माध्यम से आम जनता व सम्बन्धी रिश्तेदारों को इत्ताहात दी जाती है कि यदि किसी को उक्त इस्तकाल लापता

गुरनाम के जायम बरमान के नाम तस्वीक होने में कोई उजर/एराज हो तो वह घवालातन/बकालतन अवकालत हुआ में दिनांक 3-5-2008 प्रातः 10.00 बजे या इसके पूर्व हाजिर धाकर पेश कर सकता है अन्यथा बाद में कोई भी उजर/एराज काबिले गौर नहीं होगा तथा इस्तकाल का फैमला तब कर दिया जाएगा।

थाज दिनांक 4-4-2008 को मेरे हस्ताक्षर व मोहर घवालात द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/-  
तहसीलदार एवं महायक समाहर्ता  
हितोम पेणी ऊना, जिला ऊना,  
हिमाचल प्रदेश।

व घवाला नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, तहसील व जिला ऊना, हिमाचल प्रदेश

श्री बलविन्द सिंह

बनाम

धाम जनता

बरबालत जेर भाग 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम धाम जनता।

श्री बलविन्द सिंह पुत्र श्री बलजीत सिंह, निवासी गांव बसोली, तहसील ऊना, जिला ऊना ने इस न्यायालय में दरखास्त की है कि उनके पुत्र बिजय सिंह का नाम पंचायत रजिस्टर में मन्ती से एन न करवाया जा सका है। अब तब करवाया जाये। उसके पुत्र वत नाम बिजय सिंह है, जन्म तिथि 12-12-1999 तथा बच्चे का जन्म स्थान बसोली है।

धन: इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे का नाम दर्ज होने में कोई धाराति हो तो वह दिनांक 5-5-2008 को सुबह 10.00 बजे स्वयं घचना घवालातन या नकालतन इस घमावान में हाजिर धाकर पेश कर सकता है अन्यथा एक तरफत कार्यवाही अमल में लाई धाकर घमावान जारी करने के आदेश दे दिए जाएंगे।

थाज दिनांक 5-4-2008 को हस्ताक्षर मेरे व मोहर धवाला द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/-  
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
ऊना, जिला ऊना (हि० प्र०)।

## भाग 6—भारतीय राजपत्र द्वारा विधि में से पुनः प्रकाशन

नृप-

## भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अतिरिक्तताएं तथा धाम निर्वाचन सम्बन्धी अतिरिक्तताएं

नृप-

अनुपूरक

नृप-

भाग-1

नायब गानव विभाग

अधिसूचना

दिनांक-2, 30 मार्च, 2008

धामा किम-जी० (1) -2/2008 धन: हिमाचल प्रदेश के राज्यालय को यह धानी होता है कि हिमाचल प्रदेश सरकार की

सरकारी धाम पर सांख्यिक प्रयोजन हेतु नामतः तीर्थन घाटी की बजार तहसील में काडीधार पंचायत के नामी नामक स्थान पर टाउट मल्ली धाम के निर्माण हेतु भूमि अर्जित करनी धयेनात है। धमाव धनद्वारा यह अधिसूचित किया जाता है कि उक्त परिच्छेद में जैना कि निम्न बिबरनी में निर्दिष्ट धिया गया है, उपरोक्त धयेनात के लिए धाम का धमन धयेनात है।

2. यह अधिसूचना ऐसे सभी धाकनवों को, जो इससे सम्बन्धित



हो सकते हैं, की जानकारी के लिए भूमि धरोहर अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त नक़्तियों का प्रयोग करते हुए राजपत्र, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और व्यक्तियों को इलाक़े की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित अवकाश प्रदान करने सभी काबाली को करने के लिए सहन प्रमाणित देते हैं।

4. कोई भी निम्नलिखित व्यक्ति, जिसे उपर्युक्त परिच्छेद में वर्णित भूमि के धरोहर पर कोई धारणा हो, तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिन की अवधि के भीतर लिखित रूप में उप-सम्भाग अधिकारी (नागरिक), बंगलार, जिला कुल्लू के समक्ष अपनी धारणा वापस कर सकता है।

जिला : कुल्लू		विस्तृत विवरण	नक्शेपत्र : बंगला	
गाँव	खसरा नं०		खेत	बीघा बिस्वा
हामनी	2210/758		0	02
	758		2	03
	2497/2211/758		1	19
	2499/2211/758		1	18
	2448/2211/758		1	18
कुल		5	8	00

मादरे द्वारा,

हस्ताक्षरित/-  
सचिव।





# राजपत्र, हिमाचल प्रदेश

## हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

खण्ड: 54	शिमला, रविवार, 6 मई, 2006/16 वैशाख, 1928	संख्या : 6
	<b>विषय सूची</b>	
भाग-1	वैधानिक नियमों का छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि	174 207
भाग-2	नैदानिक नियमों को छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	207 208
भाग-3	अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, कार्मिनिशियन कमिशनर तथा कमिशनर-प्राक-इन्कम टैक्स द्वारा अधिसूचित प्रादेश इत्यादि	208—214
भाग-4	स्थानीय स्वायत्त शासन, म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाऊन एरिया तथा पंचायती राज विभाग	—
भाग-5	वैयक्तिक अधिसूचनाएं और विज्ञापन	214—224
भाग-6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	—
भाग-7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
—	अनुपूरक	—

6 मई, 2006/16 वैशाख, 1928 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'प्रसाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. LLR-E(9)-5/2006-Leg., dated the 3rd May, 2006.	Law Department	Notification regarding to repeal the Punjab Law Department Manual, 1934 in its application to the State of Himachal Pradesh, with effect from 15th May, 2006.
No. YYS B (6) 1/95, dated the 28th April, 2006.	Youth Services and Sports Department	Corrigendum regarding the R & P Rules for the Post of Director, Mountaineering and Allied Sports, Manali.

भाग 1. वैधानिक नियमों की धोरण हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएँ द्वारा वि  
हिमाचल प्रदेश हाई कोर्ट

## NOTIFICATIONS

Shimla 1 the 12th April, 2006

No HHIC/15 21/Jus/Accrils 2000 7692 It is hereby notified that the Honble Mr. Justice Kuldip Chaudhary has relinquished the charge of the office of the Judge, High Court of Himachal Pradesh in the forenoon of 12th April, 2006 on attaining the age of superannuation.

By order,

ARUNA KAPOOR  
Registrar (General).

Shimla 1 the 12th April, 2006

No HHIC/GAZ/14 53/74 IV 7556 80 In the interest of administration, following transfers and postings of the officers of the cadre of District Judges/Additional District Judges are hereby ordered with immediate effect :-

1. Shri D. C. Chaudhary, President, District Consumer Disputes Redressal Forum Mandi on recall and repatriation from the Government of Himachal Pradesh is posted as District and Sessions Judge, Kullu *vice* Shri B. R. Chandel, Sl. No. 2 below.
2. Shri B. R. Chandel, District and Sessions Judge, Kullu is transferred and posted as District and Sessions Judge, Hamirpur *vice* Shri Shamsher Singh who has been appointed as President, District Consumer Disputes Redressal Forum, Mandi *vide* Government Notification No. FDS-B(2)-3/2006, dated 4th/5th April, 2006.
3. Services of Shri P. S. Rana, President, District Consumer Disputes Redressal Forum, Dharamshala on recall and repatriation from the Government of Himachal Pradesh, are placed at the disposal of Hon'ble the Chief Justice for being posted as Registrar (Inspection), High Court of Himachal Pradesh, Shimla against vacant post.
4. Services of Shri R. K. Mittal, Administrative Officer, Himachal Pradesh State Legal Services Authority, Shimla (newly appointed Additional District Judge *w. e. f.* 5.9.2003 *vide* Government Notification No. Home B(A) 1/95, dated 5th April, 2006) on recall and repatriation from the Himachal Pradesh State Legal Authority, Shimla, are placed at the disposal of the Government of Himachal Pradesh for being appointed and posted as Special Secretary (Law) to the Government of Himachal Pradesh, Shimla against a vacant post.
5. Shri Sushil Kukreja, Additional District and Sessions Judge (I), Kangra at Dharamshala is transferred and posted as District and Sessions Judge, Kinnaur at Rampur *vice* Shri C. B. Barowalia who has been appointed and posted as President, District Consumer Disputes Redressal Forum, Dharamshala *vide* Government Notification No. FDS B(2)-3/2006, dated 4th/5th April, 2006.
6. Shri D. K. Sharma, Additional District and Sessions Judge Shimla is transferred and posted as Additional District and Sessions Judge (I), Kangra at Dharamshala *vice* Shri Sushil Kukreja, Sl. No. 5 above.
7. Shri A. S. Jaswal, Additional District and Sessions Judge, Mandi is transferred and posted

as Additional District and Sessions Judge, Sirmour in Nahan against vacant post

8. Shri Pitam Singh, Additional District and Sessions Judge, Solan (*ad hoc* basis), who has been promoted and appointed as such on regular basis *vide* Government Notification No. Home B(A) 1/95, dated 5th April, 2006 shall continue as such at Solan.
9. Shri R. L. Azad, Presiding Officer, Fast Track Court, Chummarwin (newly promoted and appointed Officer to the cadre of District Judges/Additional District Judges on regular basis *vide* Government Notification No. Home B(A) 1/95, dated 5th April, 2006) is transferred and posted as Additional District and Sessions Judge, Mandi *vice* Shri A. S. Jaswal, Sl. No. 7 above.
10. Shri S. I. Sharma, Presiding Officer, Fast Track Court, Hamirpur (newly promoted and appointed Officer to the cadre of District Judges/Additional District Judges on regular basis *vide* Government Notification No. Home B(A) 1/95 dated 5th April, 2006) is transferred and posted as Additional District and Sessions Judge, Shimla *vice* Shri D. K. Sharma Sl. No. 6 above.
11. Shri K. S. Chandel, Presiding Officer, Fast Track Court, Una on promotion and appointment as Additional District and Sessions Judge, purely on *ad hoc* basis against the existing vacancy on direct recruits (till selection and appointment by way of direct recruitment is made), is transferred and posted as Additional District and Sessions Judge (2) Kangra at Dharamshala against a vacant post.
12. Shri D. S. Khenal, Civil Judge (Sr. Divn.) *cum* Chief Judicial Magistrate, Solan, who has been promoted and appointed as presiding Officer, Fast Track Court, on *ad hoc* basis in the rank of Additional District and Sessions Judge *vide* Government Notification No. Home B(A) 1/95, dated 5th April, 2006 is transferred and posted as presiding Officer, Fast Track Court, Kullu against a vacant post.
13. Shri A. C. Thadwal, Civil Judge (Sr. Divn.) *cum* Chief Judicial Magistrate, Bilaspur who has been promoted and appointed as Presiding Officer, Fast Track Court on *ad hoc* basis in the rank of Additional District and Sessions Judge *vide* Government Notification No. Home B(A) 1/95, dated 5th April, 2006 is transferred and posted as Presiding Officer, Fast Track Court, Hamirpur *vice* Shri S. I. Sharma, Sl. No. 10 above.
14. Shri C. I. Kochhar, Civil Judge (Sr. Divn.) *cum* Chief Judicial Magistrate, Kinnair at Reckong Pen, who has been promoted and appointed as Presiding Officer, Fast Track Court on *ad hoc* basis in the rank of Additional District and Sessions Judge *vide* Government Notification No. Home B(A) 1/95, dated 5th April, 2006) is transferred and posted as presiding Officer, Fast Track Court, Una *vice* Shri K. S. Chandel Sl. No. 11 above.
15. Shri A. K. Sharma, Civil Judge (Sr. Divn.) *cum* Chief Judicial Magistrate, Una who has been promoted and appointed as Presiding Officer, Fast Track Court on *ad hoc* basis in the rank of Additional District and Sessions Judge *vide* Government Notification No. Home B(A) 1/95, dated 5th April 2006 is transferred and posted as Presiding Officer, Fast Track Court, Chummarwin *vice* Shri R. L. Azad, Sl. No. 9 above.

Date	Paper/Subject	Time
Monday June 26, 2006	Criminal Law	10 AM to 1 PM
	Civil Law	2 PM to 5 PM
Tuesday June 27, 2006	Revenue Law I	10 AM to 1 PM
	Revenue Law II	2 PM to 5 PM
Wednesday June 28, 2006	Accounts	10 AM to 1 PM
	Constitutional Law	2 PM to 5 PM

ગાંધી	અસર નંબર	કોષ	
		કોષ ૩	કોષ ૪
જુહાપી	૪૩૬/૧	૦	૪

No. HHC/GAZ/14 58/75 XI 8787. It is hereby notified for information of the Civil Judges (Junior Division) that the 48th Departmental Examination under Rule 18 of the Himachal Pradesh Judicial Service Rules, 2004 will be held in the premises of the

\*गांव कुडोरा, तहसील भटियात, जिला चम्बा में जल पम्पाइर टैंक के निर्माण हेतु।

संख्या सिचार्ड 11-35/2006-चम्बा।

जिमला-2, 7 अप्रैल, 2006

1	2	3	4
कुडोरा 80 नं० 165	15/1	0	8

\*गांव ककीरा जरीई, तहसील भटियात, जिला चम्बा में पेयजन योजना जल पम्पाइर टैंक के निर्माण हेतु।

संख्या सिचार्ड 11-34/2006-चम्बा।

जिमला-2, 7 अप्रैल, 2006

ककीरा जरीई	1016	0	3
जिमला-2, 27 फरवरी, 2006			

संख्या सिचार्ड 11-2/2006-कांगड़ा -यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर सार्वजनिक प्रयोजन के लिए नामतः गांव ठाकुर-द्वारा, तहसील इन्दौरा, जिला कांगड़ा में शाहनहर परियोजना बायां किनारा के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिसर में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हैं या हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित प्रयत्न सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. अत्याधिक आवश्यकता को दृष्टि में रखते हुए हिमाचल प्रदेश के राज्यपाल, उक्त अधिनियम की धारा 17 की उप-धारा (4) के अधीन यह भी निर्देश देते हैं कि उक्त अधिनियम की धारा 6-ए के उपबन्ध इस मामले में लागू नहीं होंगे :—

विस्तृत विवरणी

जिला : कांगड़ा तहसील : इन्दौरा

गांव	खसरा नं०	क्षेत्र (हेक्टेयरों में)
1	2	3
ठाकुरद्वारा	378/1	0 00 36
	377/1	0 04 62
	373/1	0 01 50
	345/1	0 00 42
	345/2	0 00 27
	351/1	0 04 65
	315/1	0 00 27
	249/1	0 00 17
	316/1	0 02 36
	379	0 14 64
	350	0 03 12
	316/3	0 02 01
	346	0 00 74
	347	0 00 39
	348	0 00 55
	349	0 02 38
	57	0 06 60
	58/1	0 01 61
	52/1	0 04 41
	52/2	0 02 56
	51/1	0 04 44
	40/1	0 05 82

कुल .. 22 0 63 89

जिमला-2, 7 अप्रैल, 2006

संख्या सिचार्ड 11-31/2006-जिमला -यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव रामपुर, तहसील ब जिला जिमला में उठाऊ पेयजल योजना भरावन-तालगा रामपुर के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिसर में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हैं या हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित प्रयत्न सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितवृद्ध व्यक्ति जिसे उक्त परिसर में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के 30 दिनों की अवधि के भीतर लिखित रूप में सु-अर्जन समाहर्ता, जिमला, हिमाचल प्रदेश लोक निर्माण विभाग के समक्ष अपनी आपत्ति दायर कर सकता है :—

विस्तृत विवरणी

जिला : जिमला

तहसील : जिमला (वा०)

गांव	खसरा नं०	क्षेत्र बीघा बिस्वा
रामपुर	968	0 18
	969	0 9
	970	15 13
कुल .. 3		17 0

जिमला-2, 7 अप्रैल, 2006

संख्या सिचार्ड 11-30/2006-सोलन -यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव घुहसी-ब्राह्मणा, तहसील कसौली, जिला सोलन में उठाऊ पेयजल योजना स्टोरेज टैंक के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिसर में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हैं या हो सकते हैं, की जानकारी के लिए भूमि-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित प्रयत्न सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितवृद्ध व्यक्ति, जिसे उक्त परिसर में कथित भूमि के अर्जन पर कोई आपत्ति हो, तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में सु-अर्जन समाहर्ता, जिमला, हिमाचल प्रदेश लोक निर्माण विभाग के समक्ष अपनी आपत्ति दायर कर सकता है :—

विस्तृत विवरणी

जिला : सोलन

तहसील : कसौली

गांव	खसरा नं०	क्षेत्र बीघा बिस्वा
घुहसी-ब्राह्मणा	551	2 1

आदेश द्वारा,

हस्ताक्षरित/-  
प्रधान सचिव।

LABOUR AND EMPLOYMENT DEPARTMENT

AWARD

NOTIFICATION

Shimla-171 002, the 13th July, 2005

No. Shram (A) 7-1/2005. In exercise of the powers vested in him under section 17(1) of the Industrial Disputes Act, 1947, the Governor, Himachal Pradesh is pleased to order the publication of Awards in the H. P. Rajpatra announced by the Presiding Officer, Labour Court, Shimla of the following cases :

Sl. No. & Case No.	Title of the Case
1 2	3
16. Ref. No. 143/01 RBT No. 170/04	Hoshuar Singh Vs. Chairman, Baba Balak Nath Deot Sidh, District Hamirpur.
17. Ref. No. 4/01 RBT No. 199/04	Amar Singh Vs. DFO, Bilaspur.
18. Ref. No. 317/01 RBT No. 149/01	Punjab Singh Vs. Tehsil Palampur Co-operative Marketing and Consumer Society Ltd., Maranda, through its Manager, Tehsil Palampur, District Kangra.
19. Ref. No. 40/2002 RBT No. 241/04	Mukosh Kumar Vs. XEN, HPPWD, Salooni, District Chamba.
20. Ref. No. 88/02 RBT No. 151/04	Kuldeep Kumar Vs. Tehsil Palampur Co-operative Society Maranda, Tehsil Palampur.
21. Ref. No. 119/02 RBT No. 150/04 23-2-2005.	Ramush Chand Vs. Management of Tehsil Palampur Co-operative and Consumer Society Ltd., Maranda, Tehsil Palampur.
22. Ref. No. 44/01 RBT No. 29/04	Joginder Pal Vs. XEN, HPSEB, Dharampur, District Mandi.
23. Ref. No. 72/02 RBT No. 113/04	Manoj Kumar Vs. Manager, Tehsil Co-operative Marketing and Consumer Society Ltd., Maranda, Tehsil Palampur.
24. Ref. No. 385/02 RBT No. 394/04	Mohan Singh Vs. XEN, HPPSEB, Jogindernagar, District Mandi.

By order,

Sd/-  
Secretary.

Certified copy of Award dated 16-5-2005 passed by Hon'ble George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala, H. P. (Camp at Hamirpur).

Reference No. 143/2001 (RBT No. 170/04)

Instituted on 27-7-2001

Decided on 16-5-2005

Hoshuar Singh son of Shri Krishan Kumar alias Krishan Lal, resident of village Jarjarad, P. O. Pealli-Jarjari, Tehsil Barsar, District Hamirpur, Himachal Pradesh

Vs.

The Chairman, Baba Balak Nath Temple Trust, Deot Sidh, Tehsil Barsar, cum-Sub-Divisional Officer (Civil) Sub-Division, Barsar, District Hamirpur, Himachal Pradesh.

"Reference under section 10-D of the Industrial Disputes Act, 1947".

For the petitioner : Shri S. S. Sippy, AR

For the respondent : Shri J. C. Kaushal, Advocate.

The following reference has been received for adjudication from the appropriate Government :

"Whether the retrenchment of Shri Hoshuar Singh workman s/o Shri Krishan Kumar, Village Jarjari, P. O. Roalli Jarjari, Barsar, District Hamirpur, by Chairman, Baba Balak Nath Temple Trust, Deot Sidh, Tehsil Barsar, District Hamirpur, Sub-Divisional Officer, Barsar (Civil) Sub-Division, Barsar, District Hamirpur vide retrenchment order, dated 6-11-1998, complying Sec in 25 (F) and without complying section 25 (N) of the Industrial Dispute Act, 1947 w. c. f. 16-12-1998 is legal and justified. If not, to what relief of back wages, seniority service benefits, and amount of compensation the above workman is entitled ?"

2. The petitioner Hoshuar Singh filed his statement of claim seeking relief of re-instatement alongwith consequential relief of back wages and allied service benefits. He claimed that he was employed by the respondent as a "Bijli Karamchhari" (Electrician) on 10-3-1997. Though no formal appointment letter was issued yet he was enrolled as such on the muster roll issued by the respondent in every month during his service tenure with the respondent and he performed the duties of Electrician in order to maintain uninterrupted power supply and maintain electrical appliances for the same. The petitioner further pleaded that he was disengaged from the service by the respondent without adhering to the relevant provisions of law and aggrieved from the order of dis-engagement, the petitioner filed writ petition in the Hon'ble High Court of Himachal Pradesh, which was disposed of on 1-9-1998 and disengagement was declared illegal and void. The petitioner did his duties with the respondent continuously, without any interruption and break in service by providing service as Electrician. The respondent terminated the services of the petitioner w. c. f. 16-12-1998 vide notice dated 6-11-1999 and the petitioner assailed the order of termination by raising an industrial dispute. No settlement could be arrived at between the parties during the conciliation proceedings and the appropriate government referred the matter to this court for adjudication. The petitioner has been terminated from service most illegally, arbitrarily and for patently false reasons as the work which was being performed by the petitioner was of continuous nature and is still continuing. The respondent has victimised the petitioner for no real fault on his part. The respondent with a view to deprive the petitioner from attaining the status of permanent workman, has sacked the petitioner from service to defect and frustrate orders of the Hon'ble High Court of H. P. under the grab of retrenchment. The respondent while terminating the service of the petitioner, has not adhered to the principle of last come first go, as persons juniors to the petitioner have been retained and several fresh hands have been recruited by the respondent after the termination of service of the petitioner namely Shri Kashmir Singh, Vijay Kumar etc. The petitioner further alleged that the respondent has indulged in an unfair labour practice by treating him unfairly and illegally and the order of termination of service is also hit by article 14 of the Constitution besides various provisions of the Industrial Disputes Act. The termination of the petitioner is highly unjust, improper, illegal, void being inoperative in the eyes of law and prayed for re-instatement in service alongwith consequential relief of back wages and allied service benefits.

3. The respondent filed reply raising the preliminary objection that the petitioner was engaged temporarily on daily wages for doing different kind of duties during Navratras mela days without observing codal formalities, on his simple application with verbal direction given to him, that when there will be no work, his services will be terminated, it was a stop gap arrangement only to cope with the additional work which had increased on account of Navratras melas and not



against the sanctioned strength of the Trust. HHN Temple Dastadi, the petitioner was engaged to perform multifarious duties and not as Bhatti Karamchahi (Electrician). The petitioner along with others had filed civil writ petition under section 226 of the Constitution of India in the Hon'ble High Court of H.P. Shimla. It was held in judgement dated 1.9.1998 announced by the Hon'ble High Court of H.P. Shimla that in case there was no work available to continue engaging the petitioner, in such eventuality the Trust was required to retrench the petitioner by following the provisions of section 25-L of the Industrial Disputes Act, 1947 (hereinafter) referred in short as the Act) and the disengagement of the petitioner as daily wage worker by the Trust except those who have not completed 240 days is set aside and those who have completed 240 days continued to be in the employment of the Trust, as daily wage workers with all consequential benefits, till they are disengaged in accordance with law. There being no work against which the petitioner could be deputed on daily wages, as such retrenchment notice u/s 25-L of the Act was served upon him vide notice No. 889/10 SHIM dated 6.11.1998 and higher amount of retrenchment compensation Rs. 1530/- was offered to him, though he was entitled to only 15 days salary of every completed year of service, the service of the petitioner was terminated w.e.f. 15.12.1998 after complying with section 25-L of the Act.

4. On merits, the respondent pleaded that the petitioner was engaged purely on temporary basis on his simple application for doing different kind of duties during mela days and not as Bhatti Karamchahi (Electrician) as stated, with the verbal directions given to him that when there will be no work, his services will be terminated. The respondent averred that construction work undertaken then, was stayed under the order of the Civil Court, District Judge, Hamirpur, therefore, it was not possible to allot work to the petitioner, and other daily waged employees, who were only engaged on temporary basis considering exigencies of work and need of the hour. Besides, this the main rush of pilgrims in mela days, the petitioner was junior most daily wage who has been working with breaks intermittently, hence disengaged from services. It is also not admitted as correct that the Hon'ble High Court of H.P. Shimla, vide their judgment dated 1.9.1998 has decided that the disengagement of the petitioner was declared as illegal and void. The respondent denied that the petitioner has been victimised and sacked from service to defeat and frustrate the order of the Hon'ble High Court of H.P. Shimla. The petitioner was engaged for doing different kinds of duties work, the construction work undertaken then, was stayed under the order of Civil Court, District Judge, Hamirpur, therefore, it was not possible to allot work to him. The respondent also denied that the principle of last come first go has not been adhered to. The respondent denied all other assertions made by the petitioner in the claim petition and prayed for the dismissal of the claim petition.

5. The petitioner filed a rejoinder where in the facts pleaded by the respondent in their reply are not admitted as correct and the facts pleaded in the statement of claim are reiterated.

6. On the respective assertions of the parties, the following issues were framed for decision on 25.5.2000.

1. Whether the retrenchment of petitioner by respondent without complying with the provisions of section 25-L and 25-N of Industrial Disputes Act, 1947 is legal and justified. OPP
2. If issue No. 1 is not proved, to what relief of service benefits including back wages, seniority and amount of compensation the petitioner is entitled to? OPP
3. Relief

7. For the reasons to be recorded hereinafter my issue-wise findings are as under:

Issues No. 1  
Issue No. 2

Relief

The petition is allowed as per operative part of the award

#### REASONS FOR FINDINGS

ISSUE No. 1 and 2.

8. Both these issues being interconnected and interlinked, are taken up together for discussion and decision.

9. The petitioner, Shri Hoshnar Singh, in order to prove both these issues appeared himself as PW1, and he stated that he was engaged as daily waged worker by the respondent, w.e.f. 10.3.1997 and he worked as a "Bhatti Karamchahi" upto 16.12.1998, thereafter, his services were terminated after retaining his juniors namely, Kachhru Singh, Vijay Kumar, and Vikram Jost Singh, Ravi Datt Sharma etc. The petitioner has stated that he is an employed, and prayed for his reinstatement with all consequential benefits. In his cross examination he admitted that he was appointed on the muster roll and he also confirmed that he received a notice from the respondent after 10 days of his retrenchment. He admitted that he received a sum of Rs. 1530/- alongwith said notice. But has shown his ignorance on what account this amount has been paid to him by the respondent.

10. To controvert the evidence of the respondent, the respondent has examined Shri Raj Kumar, Junior Assistant Baba Balak Nath Trust, Doot Sidh, Hamirpur who has stated that the petitioner's services were terminated by notice Ex RW1/A and he was paid an amount of Rs. 1530/- alongwith cheque which was accepted by the petitioner. The petitioner was working as daily waged and his services were terminated after doing all usual formalities. In his cross-examination he has shown his ignorance that the petitioner worked from 10.3.1997 to 16.12.1998. Though he admitted that work against which he was employed is of regular nature and for that the respondent has kept employees. He also admitted that strength of workers and other employees of the respondent, are more than 121 persons. Though he has shown his ignorance about the twenty years master plan of the respondent/trust. He has stated that reason for retrenchment has been shown in the notice Ex RW1/A. This notice was served upon the petitioner by hand. He has shown his ignorance about the fact that section 25N of the Act, was complied with or not. He has shown ignorance about the fact that juniors to the petitioner were retained at the time when the petitioner was disengaged and are still working in the trust. The perusal of notice Ex RW1/A reveals that respondent has admitted that the petitioner was working on daily waged basis in the Baba Balak Nath Trust, and doing different jobs in the temple and out side the temple. Cause of retrenchment is also given in the notice i.e., "There is no work against which can be deputed to work on daily wages, therefore, he is retrenched and notice of retrenchment given to the petitioner, as his services are no longer required and stands disengaged on 15.12.1998 and he should not report for duty w.e.f. 16.12.1998 onwards. Notice Ex RW1/A also reveals that retrenchment compensation of Rs. 1530/- was also tendered to the petitioner. This retrenchment compensation as it appears from the endorsement on the notice Ex RW1/A was received by the petitioner on 1.12.1998. As per requirement of section 25-L of the Industrial Disputes Act, 1947, under which the respondent issued notice of retrenchment, which reads as under

Section 25-L

"No workman employed in any industry who has been continuous service for not less than one

year under an employer shall be retrenched by the employer until

- (a) the workman has been given one month's notice in writing indicating the reason for retrenchment and the period of notice has expired or the workman has been paid in lieu of such notice wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months;
- (c) notice in the prescribed manner is served on the appropriate government (or such authority as may be specified by the appropriate Government) by notification in the Official gazette.

11. According to sub-clause (a) of section 25-F, the workman is required to be given one month's notice in writing. It appears that though notice Pa. RW1/A was typed and it was signed on 6.11.1998 but was received by the petitioner on 1.12.1998. It means that the condition of notice of one month, as laid down in sub-clause (a) is not complied with. If the petitioner has received notice on 1.12.1998 and his disengagement came into effect from 15.12.1998 or to say 16.12.1998, as such it does not fulfil the condition of one month's notice as laid down in clause (a) of section 25-F.

12. Similarly, retrenchment compensation is required to be paid to the workman in a similar manner and as per clause (c), the respondent is required to give notice in a prescribed manner to the appropriate government with regard to the retrenchment of a workman. It appears that the respondent has not complied with the conditions enumerated in section 25-F, (b) & (c) as well which are conditions precedent. The provisions of section 25-F (a), (b) and (c) are couched in mandatory form and non-compliance therewith has the result of rendering the order of retrenchment, void, *ab initio* or non est.

13. It has come in the evidence of the respondent, as the facts admitted by Shri. Raj Kumar (RW1) that the respondent has employed workman more than 121 in number and the fact that the petitioner continued to work not less than one year, is also not in dispute. In these circumstances the respondent was required not only to comply with the mandatory requirement of section 25-F of the Act, but also the provisions contained in Chapter V-B of the Act, as section 25-K reads with section 25-N of the Act and section 25-K and 25-N reads as under:-

#### Section 25-K :

Application of Chapter V-B (1) the provisions of this Chapter shall apply in an industrial establishment (Not being an establishment of a seasonal character or in which work is performed only intermittently in which not less than one hundred workmen were employed in an average per working day for the preceding twelve months).

- (2) If a question arise whether an Industrial establishment is of a seasonal character or whether the work is performed therein only intermittently the decision of appropriate government thereon shall be final.

#### Section 25-N

25-N conditions precedent to retrenchment of Workman :

No workman employed in any industrial establishment to which this chapter applies who had been in continuous service for not less than one

year under an employer shall be retrenched by that employer until :

- (a) the workman has been given three months' notice in writing indicating the reasons for retrenchment and the period of notice has expired or the workman has been paid in lieu of such notice wages for the period of the notice and
- (b) the prior permission of the appropriate Government or such authority as may be specified by that Government by notification in the official gazette (hereinafter in this section referred to as the specified authority) has been obtained on an application made in this behalf.

- (2) An application for permission under sub-clause (1) shall be made by the employer in the prescribed manner stating clearly the reason for the intended retrenchment and a copy of such application shall also be served simultaneously on the workman concerned in the prescribed manner.
- (3) Where an application for permission under sub-section (1) has been made the appropriate Government or the specified authority, after making such enquiry as it thinks fit and after giving a reasonable opportunity of being heard to the employer, the workman concerned and the person interested in such retrenchment may having regard to the genuineness and adequacy of the reasons stated by the employer the interests of the workmen and all other relevant factors, by order and for reasons to be recorded in writing grant or refuse to grant such permission and a copy of such order shall be communicated to the employer and the workman.
- (4) Where an application for permission has been made under sub-section (1) and the appropriate Government or the specified authority does not communicate the order granting or refusing to grant permission to the employer within a period of sixty days from the date on which such application is made, the permission applied for shall be deemed to have been granted on the expiration of the said period of sixty days.
- (5) An order of the appropriate Government or the specified authority granting or refusing to grant permission shall subject to the provisions of a sub-section (6) be final and binding on all the parties concerned and shall remain in force for one year from the date of such order.
- (6) The appropriate Government or the specified authority may either on its own motion or on the application made by the employer or any workman review its order granting or refusing to grant permission under sub-section (3) or refer the matter or as the case may be cause it to be referred to, a Tribunal for adjudication.
- (7) Where no application for permission under sub-section (1) is made, or where the permission for any retrenchment has been refused such retrenchment shall be deemed to be illegal from the date on which the notice of retrenchment was given to the workman and the workman shall be entitled to all the benefits under any law for the time being in force as if no notice had been given to him.
- (8) notwithstanding anything contained in the foregoing provisions of this section the appropriate Government may if it is satisfied that owing to such exceptional circumstances as accident in the establishment or death of the employer or the like it is necessary so to do, by order, direct that the provisions of sub-section (1)

shall not apply in relation to such establishment for such period as may be specified in the order.

- (9) Where permission for retrenchment has been granted under sub-section (3) or where permission for retrenchment is deemed to be granted under sub-section (4) every workman who is employed in that establishment immediately before the date of application for permission under this section shall be entitled to receive at the time of retrenchment, compensation which shall be equivalent to fifteen days average pay for every completed year of continuous service or any part thereof in excess of six months."

14. Bare perusal of section 25 K and N reveals that since the respondent has employed more than 100 workmen on an average per working day for the preceding twelve months, therefore, the respondent has required to comply with the mandatory requirement of clause (a) and (b) of sub-section 1 of section 25N of the Act. The respondent has not given three months notice in writing indicating the reason for retrenchment and the period of notice has expired or the workman has been paid in lieu of such notice wages for the period of the notice or prior permission of the appropriate government or such authority as may be specified by notification in the official gazette has been obtained on an application made in this behalf.

15. It is well settled that non-compliance of section 25-N of the Act, automatically results dis-engagement of a workman illegal and un-justified. It is incumbent upon the management to prove that a copy of application as required by section 25-N, was served on the concerned workman. In the present case the respondent has not complied with the required mandatory provisions of section 25-F (a) & (c) and also has not complied with the provisions of section 25-N of the Act and therefore, retrenchment of the petitioner w. e. f. 16-12-1998 as per notice Ex. RW1/A is not only illegal but also un-justified. It appears from the evidence of the petitioner who appears as PW1 that at the time when his services were retrenched w. e. f. 16-12-1998 his juniors workmen namely Kashmir Singh, Vikram Singh, Vijay Kumar, Ravi Dutt Sharma, etc. This fact is not contradicted by the respondent in the cross-examination of the petitioner. Rather, Shri Raj Kumar (RW1) while appearing on behalf of the respondent has shown his ignorance in the last line of his cross-examination by saying that "I cannot say that juniors to the petitioner are working in the Trust", meaning thereby the stand taken by the petitioner that though his services were retrenched but the persons junior to him were retained in service remains un-shattered. It can safely be concluded on the basis of evidence available on the record that at the time when the services of the petitioner were dis-engaged by the respondent, principle of last come, first go, is not adhered to by the respondent, as such the services of the petitioner were dis engaged in violation of section 25-G, which reads as under:-

#### Procedure for retrenchment :

"Where any workman in an industrial establishment who is a citizen of India, is to be retrenched and he belongs to a particular category of workmen in that establishment in the absence of any agreement between the employer and the workman in this behalf the employer shall ordinarily retrench the workman who was the last person to be employed in that category unless for reasons to be recorded the employer retrenches any other workman"

16. Since the respondent has violated the provisions of section 25-F (a) & (c) and also section 25-N read with section 25-K and 25-G) of the Act, therefore, termination of the petitioner w. e. f. 16-12-1998 is illegal and un justified being violative of the provisions of Industrial Disputes Act, 1947 and since the petitioner has

stated that he remained un-employed from the date of his dis-engagement, therefore, the petitioner becomes entitled for all service consequential benefits including seniority. Both these issues are decided accordingly in favour of the petitioner.

#### RELIEF:

17. In view of my findings on issues No. 1 and 2 above, since the termination of the service of the petitioner by the respondent is without complying the conditions precedent laid down under section 25-F (a) & (c) as well as section 25-G, H and N of the Act, therefore, the petitioner is entitled for his reinstatement on the same terms and conditions in which he was working prior to his termination. The respondent has not brought on the record that the petitioner was in gainful employment after his retrenchment till date, as such having regard to the entire facts and circumstances of the case, the petitioner is held entitled for all consequential service benefits and back wages to the extent of 50%. The respondent is directed to re-engage the petitioner within a period of 90 days from the date of announcement of this award, failing which the petitioner shall be entitled for full back wages till his re-engagement.

Let a copy of this award be sent to the appropriate Government for publication in the Official Gazette. The file after completion be consigned to record room.

Announced.

Seal.

Sd/-  
(GEORGE),  
Presiding Judge,  
Labour Court-cum-Industrial Tribunal,  
Dharmshala (H. P.).

Certified copy of award dated 13-5-2005 passed by Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharmshala, H. P. Camp at Bilaspur

Reference No.	4/2001(RBT No. 199/04)
Instituted on	27-2-2001
Date of award	13-5-2005

Amar Singh s/o Shri Sihanu Ram, Village Felli (Behal), P.O. Bhehal, Sub-Tehsil Naina Devi Ji, District Bilaspur  
.. Petitioner.

Vs.

Divisional Forest Officer, Bilaspur, District Bilaspur (H. P.)  
.. Respondent.

"Reference under section 10 of the Industrial Disputes Act, 1947."

For the petitioner: Shri S. S. Sippy, AR  
For the respondent: Shri Roop Lal, AR

#### AWARD

The following reference has been received from the appropriate government for adjudication.

"Whether termination of services of Shri Amar Singh Ex-gardner, w. e. f. 1-7-1997 by the Divisional Forest Officer Bilaspur, District Bilaspur, H. P. without any notice, chargesheet, enquiry and without compliance of section 25 (F) of the Industrial Disputes Act, 1947 on completion of 240 days continuous service as alleged is legal and justified. If not to what relief of consequential service benefits and the amount of compensation Shri Amar Singh is entitled?"

2. The petitioner filed statement of claim averring that he was employed by the respondent on daily wages in Forest Range Swarghat, Behal Nursery on 1-3-1986 and he continued to work as such till 30-6-1997. Thereafter the respondent terminated the services of the petitioner on 1-7-1997 without any reason, charge sheet,

and notice verbally whereas the persons juniors to the petitioner were retained in service and are still working. The petitioner raised disputed before the labour department, thereafter the petitioner was re-engaged during the year 8/98 and he worked upto 11/98 but the wages for 8/98 to 11/98 have not been paid to the petitioner, which is an unfair labour practice. The petitioner left with no alternative but to serve the demand notice upon the management for illegal termination of the petitioner, hence this reference. The petitioner further alleged that he has put more than 240 days of continuous service in each completed year, as such termination of the services of the petitioner by the respondent w. e. f. 1-7-1997 is illegal and against the mandatory provisions of section 25 F (a) of the Industrial Disputes Act, 1947 (hereinafter referred to as the ACT). Since the petitioner's services were terminated and the persons junior to the petitioner are still working, therefore the petitioner's termination is illegal as well as in violation of section 25 G of the Act. The petitioner has prayed for his reinstatement with full back wages and continuity of service.

2. The respondent resisted and contested the claim of the petitioner by filing reply wherein the respondent raised preliminary objections that the petition is not maintainable. On merits, the respondent alleged that there is no record showing that the petitioner had been working with the respondent since 1-3-1986, however, the petitioner was engaged on work w. e. f. 1988 and he worked only 30 days during the year. The respondent denied that the persons juniors to the petitioner are still working. The respondent alleged that the petitioner did not come on work after 30-6-1997 the question of giving payment to the petitioner does not arise. The petitioner did not complete 240 days in any of the year as shown in the mandays chart annexure R-1. The respondent alleged that the respondent has not violated the provisions of section 25 F (a) of the Act, nor section 25 G of the Act. The respondent alleged that the daily wages were engaged or dis-engaged as per the requirement of work and it is not the question of securing employment, then the question of violation of provisions of section 25 H of the Act, does not arise. The respondent has prayed for dismissal of the petition with costs.

3. The petitioner filed rejoinder where in the petitioner re-affirmed and reiterated the averments made in the petition and denied the assertions of the respondent made in the reply. On the respective assertions of the parties, the following issues were framed by the court on 24-3-2004.

1. Whether the termination of the service of Shri Amar Singh, petitioner by the respondent is in violation of section 25-F of the Industrial Disputes Act, 1947 as alleged? OPR.
2. If issue No. 1 is proved in affirmative, whether the petitioner is entitled to any consequential benefits and compensation? OPR.
3. Whether the petition is not maintainable? OPR.
4. Relief.

4. For the reasons to be recorded hereinafter my issuewise findings are as under :

Issue No. 1	Yes.
Issue No. 2	decided accordingly
Issue No. 3	No

Relief The petition is allowed as per operative part of the award.

#### (REASONS FOR FINDINGS)

##### Issues No. 1 and 2.

5. Both these issues being interconnected and interlinked as such they are taken as such they are taken up together for discussion and decision.

6. In order to prove both these issues, the petitioner Amar Singh filed his affidavit Ex. PW1/A, as RW1 wherein he has stated that he was employed by the respondents daily wages basis in forest Range Swarghat, Nursery w. e. f. 1-3-1986 and he continued to work as such till 30-6-1997. His services were terminated by the respondent w. e. f. 1-7-1997, without any reason, charge sheet, inquiry verbally but other workers juniors to him namely S/Shri Ravinder Kumar, Baldev Raj, Biru Ram Hansi Ram etc. were retained and they are still working. He further stated that he had put in more than 240 days continuous service in each completed year of service and his mandays chart is duly attested by the Range Officer, which is placed on the record. His services were terminated w. e. f. 1-7-1997 in an illegal and unjustified manner in violation of section 25-F of the Act, and also in violation of the principle laid down in section 25-G of the Act, 'Last come, first go'. The respondent after the disengagement of the petitioner also recruited new hands in place of the petitioner, without affording any opportunity to the petitioner for re-employment in provisions of section 25-H of the Act. The petitioner also stated that since he was dis-engaged by the respondent he is un-employed and his termination is bad in law as neither he was served any notice nor paid retrenchment compensation, therefore, he is entitled for full back wages.

7. The respondent was afforded an opportunity to cross-examine the petitioner but the respondent did not cross-examine the petitioner despite the opportunity was given to him to cross-examine him.

8. The respondent examined one Shri Garja Ram, Deputy Ranger Block Swarghat, District Bilaspur as RW1 on behalf of the respondent, and respondent/ DFO Bilaspur did not appear in the witness box. Shri Garja Ram, while appearing as RW1 has stated that the petitioner had not completed 240 working days during the period he remained working. He was engaged in the nursery as seasonal workman and he was engaged for a period of one month and thereafter he dis-engaged for one month. The workman who has completed 240 working days, their seniority was maintained. The respondent has also brought on the record mandays chart of the petitioner Ex. RX. In the opening line of his cross-examination he admitted that Amar Singh petitioner is known to him and it is correct that Ex R-2 (yearwise detail of mandays chart of the petitioner) was issued from the department and he confirmed Ex. R-2. He also admitted that notice was not served upon the petitioner at the time when he was dis-engaged nor he was paid any retrenchment compensation.

9. It appears from the mandays chart Ex R-2 correctness of which is not denied by the RW1 Garja Ram, and it was issued by Range Officer, Swarghat, according to which the petitioner remained working from March, 1986 continuously till June, 1997, and during each year including the year 1986 to 1996 the petitioner has been shown as worked for more than 240 days in each calendar year and during the year 1997 he completed 161 days. The mandays chart Ex R-2 appears to have been issued by Range Forest Officer, Swarghat Forest Division, Bilaspur. He also verified it to be correct in accordance with Range Officer, Swarghat, the correctness of which is not disputed by Garja Ram (RW1) as he has stated in his cross-examination that Ex R-2 was issued the department and he confirmed the same. Garja Ram has brought on the record Mandays Chart Ex R1, which is neither verified nor the person who prepared it he stepped into the witness box to confirm its correctness as per the record where the petitioner continued to work as daily waged worker. It appears from the mandays chart Ex R-1 that monthwise bifurcation of working days of the petitioner is not mentioned, therefore, it is difficult to conclude as to how many days the petitioner continued to work in the last 12 preceding months before he was dis-engaged from the service, as Ex. R-1 only reveals that the petitioner worked for 212 days in 1996 and 11 days in 1997. It is not in dispute that the petitioner was dis-engaged w. e. f. 1-7-1997 and he worked

only for first six months of 1997. Whereas mandays chart 'E R 1' correctness of which is not disputed by PW 1 and it is duly verified with a certificate that the position shown in 'E R 2' with regard to the mandays of the petitioner is correct in accordance with Range Office, Sonbhadra. It appears to be more authenticated as compared to mandays chart 'E R 1'. The respondent has not brought the original muster rolls of the petitioner to prove that in fact the position as shown in mandays chart 'E R 1' is correct and the position shown in mandays chart 'E R 2' is wrong.

10. After taking into consideration the statement of the petitioner/affidavit 'E' PW 1 A he has brought on record as PW 1 and fact that the respondent has not cross examined the petitioner, and so far that Garja Ram (PW 1) accepted the correctness of mandays chart 'E R 2'. It appears that the petitioner worked for about 124 days from July, 1996 till June, 1997 'E' 11. For preceding months before the petitioner was dis engaged 'E' 12 'f' 1/1997. Accordingly the petitioner has completed one year continuous service as defined under section 25 B of the Act, and consequently the petitioner is undoubtedly entitled for salary as provided under section 25 F of the Act which reads as under:

#### Conditions precedent to retrenchment of workman:

- the workman has been given one month's in writing indicating the reasons for retrenchment and the period of notice is expired or the workman has been paid in lieu of such notice; wages for the period of the notice;
- the workman has been paid at the time of retrenchment compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months; and
- notice in the prescribed manner is served on the appropriate government for such authority as may be specified by the appropriate Government by notification in the official gazette."

11. It is stated by the petitioner in his affidavit 'E' PW 1 A that at the time he was dis engaged, he was not served with any notice nor he was paid retrenchment compensation and this fact has been admitted by Garja Ram (RW 1) in his cross examination. In his cross examination he admitted that the petitioner was not served with any notice nor any compensation was paid to him. Under these circumstances, it can safely be concluded that services of the petitioner were disengaged by the respondent in violation of the mandatory requirement of section 25 F (a) and (b) of the Act. The conditions enumerated in section 25 F are conditions precedent for retrenchment of a workman who has completed continuous service as defined under section 25 B of the Act, the provisions of section 25 F are couched in mandatory form and non-compliance therewith has a result of rendering the order of retrenchment void, *Ab initio* or *non est*. Therefore, the termination of the petitioner is illegal and unjustified. The petitioner has also stated in his affidavit 'E' PW 1 A that after his retrenchment he is unemployed and he is entitled for his reinstatement with back wages, whereas the respondent has not cross examined the petitioner that the petitioner remained in any gainful employment after his illegal and unjustified disengagement. Under these circumstances the petitioner is definitely entitled for not only for reinstatement but also for all consequential benefits including service.

12. Having regard to the peculiar facts and circumstances of the case, the petitioner is also entitled for back wages to the extent of 50% as it has held by the Hon'ble Supreme Court in the case titled "Deep Chandra Vs. State of Uttar Pradesh, and another" 2001 11 P 112" as under:

When an employee had put in service for more than 240 days in each year for several years whether

his services can be put to an end to without following the procedure prescribed under section 25 F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be reinstated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law we fail to understand as to how the High Court would have interfered with the award made by Labour Court. The Labour Court, therefore, rightly granted reinstatement with back wages and other consequential benefits."

13. Taking into consideration the facts and circumstances as has been discussed above, as well as the position of law, I am of the considered view that the petitioner under the peculiar facts and circumstances of the case is not only entitled for his reinstatement but also other service benefits. Issues No 1 and 2 are decided in favour of the petitioner and against the respondent.

#### Issue No. 3:

14. The respondent has failed to lead any cogent and convincing evidence to show that the petitioner has not completed the required number of working days and therefore, the provisions of section 25 F of the Act are not attracted, as such the petition is not maintainable. Accordingly, keeping in view my findings on issue No. 1 and 2 above, this issue is also decided against the respondent and in favour of the petitioner.

#### RELIEF

15. In view of my findings on issue No. 1 and 2 above, the petitioner is entitled for his reinstatement in his original service on the same terms and conditions in which he was working earlier. As consequence the petitioner is also entitled for back wages to the extent of 50% with all consequential service benefits including seniority. The respondent is directed to re-engage the petitioner within a period of 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full back wages after the lapse of period of 90 days as referred to above. The reference is answered accordingly.

16. Let a copy of this award be sent to the appropriate Government for publication in the official gazette. The file after completion be consigned to record room.

Announced  
13.5.2005

Seal

GEORGE,  
Presiding Judge,  
Labour Court cum Industrial Tribunal,  
Dhanushala (H. P.)

Certified copy of Award Passed Shri George, Presiding Judge, Labour Court cum Industrial Tribunal, Dhanushala (H. P.)

Reference No. M/7/2001 (RIT No. 149/04)  
Instituted on 26.12.2001  
Decided on 6.6.2005

Shri Punjab Singh, Patal son of Shri Dhoni Ram P.O. Village - & P.O. Dahan, L-shal Palampur, District Kangra, Himachal Pradesh. Petitioner

By

M/s The Tehsil Palampur Co-operative Marketing and Consumer Society Ltd., Mandla through its Manager, L-shal Palampur, District Kangra. Respondent

Reference under section 30 of the Industrial Disputes Act, 1947"

For the petitioner Shri Vishal Srivastava, Vice counsel  
For the respondent Shri Ajay Srivastava, Adv.



# AWARD

The following reference has been received for adjudication from the appropriate Government

"Whether the termination of the services of Workmen Shri Punjab Singh Patal s/o Ishai Patal by the Management of the Ishai Patal Cooperative Marketing & Consumer Society Ltd. Maranda, Ishai Palampur w.e.f. 11.01.2000 with out complying with the section 25 F of the I.D. Act, 1947 is legal and just? If not what relief of services benefits the above Workmen is entitled to?"

7. On notice, the petitioner Punjab Singh Patal filed his statement of claim wherein he pleaded that he joined the respondent w.e.f. August 1990 as a Conductor and he was appointed monthly wages as such at Maranda. The petitioner further pleaded that since 1990 he was serving with the respondent society with utmost singleness and that on 11.10.2000 he received letter to the effect that his services were no longer required by the society. No reasons has been assigned as to why his services are not required, especially when the society is not closing its venture. The petitioner averred that he has completed 240 days in the previous calendar year and the respondent had terminated his services without complying mandatory requirements of law as the respondent has not served him with the notice as required under section 25 F of the Industrial Disputes Act, 1947 (hereinafter referred to short as the Act) and as such the reference has been made by the Labour Commissioner. The petitioner averred that no compliance of any provision of the Act has been done by the respondent and thus, his termination is totally arbitrary, discriminatory, illegal in violation of provisions of Act in general and section 25 in particular and thus void *ab initio* and his retrenchment is bad as the respondent is now engaging some other person to perform the duties. The petitioner further averred that the respondent has retained juniors and after his retrenchment he has not been any where gainfully employed. The petitioner therefore, prayed that the petition may kindly be allowed and he may kindly be ordered to be reinstated as a Conductor by revoking the illegal order of his termination dated 11.01.2000 with full back wages with interest and consequential benefits.

8. The respondent contested the claim petition filed by the petitioner and filed written reply wherein raised the preliminary objections that the petition as filed is neither competent nor maintainable before this Hon'ble Court, the petitioner is not entitled to invoke jurisdiction as vested in this Hon'ble Court, especially in view of section 92 of the Act, which bars the jurisdiction of the court and in the matter, if petitioner has got some dispute with respect to his engagement/discontinuation, the same can only be adjudicated as per the provisions of the Act and thus, the present petition as filed is liable to be rejected. The respondent further raised the preliminary objection that the petitioner above stated has filed O.A. No. 2654 of 2000 titled as Manoj Dixit and others Versus State of H.P. and others, which has filed on 16.9.2000, whereas the petitioner appears to have been filed somewhere in the year 2002, the O.A. earlier in point of time praying the same relief. The petitioner as filed now is not maintainable and thus, the petitioner is estopped by his act, conduct and acquiescence and jurisdiction of two courts cannot be invoked.

9. On merits, the respondent denied all other assertions made by the petitioner in his statement of claim. The respondent further averred that in view of the work which once assigned for which the services of the petitioner were engaged, having ceased in view of the policy of the State of Himachal Pradesh thereby taking a policy decision not to sell a few items through Society, no other source left except to disengage the service of the employees who got rendered surplus. The respondents pleaded that the petitioner not being Workman respondent being not industry, provisions of the Industrial Disputes Act cannot be invoked and therefore,

The petitioner filed is not maintainable. The respondent prayed that the petition may be dismissed.

10. The petitioner filed rejoinder to the reply filed by the respondent wherein he re-affirmed and reiterated the assertions made by him in this statement of claim and denied all the findings made by the respondent in their reply.

11. On the respective assertions of the parties following issues were framed for decision on 5.11.2000.

1. Whether the termination of services of the petitioner w.e.f. 11.10.2000 by the respondent is in violation of the provisions of section 25 (F) of the Industrial Disputes Act, 1947 and therefore, void and unsustainable, as alleged? (Y/N)
2. If issue No. 1 is proved in affirmative, to what relief the petitioner is entitled to along with the service benefits? (Y/N)
3. Relief.

12. For the reasons to be recorded hereinafter my issues wise findings are as under:

Issue No. 1	Yes
Issue No. 2	As per operative part of Award
Relief	The petition is allowed as per operative part of the Award

## REASONS FOR FINDINGS

Issue No. 1 and 2.

13. Both the issues are inter connected and hence taken together for discussions and findings.

14. The petitioner Punjab Singh appeared as PW1 and he stated that he joined the services of the respondent w.e.f. August 1990 as daily wage conductor and his services were regularised in the year 1991 as conductor with the respondent. His services were dispensed with by the respondent vide letter EX PW1/A without assigning any reason. He completed more than 240 days in each calendar year. His services were terminated without compliance of mandatory requirements of law. The respondent have not served any notice as required under section 25 (F) of the Act. The engagement of the petitioner is arbitrary and illegal and as such he is entitled for his re-engagement from the date of his termination. He had not worked anywhere from the date of his termination. He had not worked anywhere from the date of his disengagement in any gainful employment. The respondent has engaged some junior persons and they are still in service. The petitioner was engaged in an illegal and arbitrary manner vide order EX PW1/A w.e.f. 11.10.2000 which is required to be declared as null and void.

15. In his cross examination, he was put to the suggestion that the respondent is a registered society and have its own by-laws which he admitted as correct. He also admitted that he alongwith other workers filed a petition before the Administrative Tribunal which was later on dismissed as withdrawn. He was also put to the suggestion that he was engaged as daily wages purely temporary basis to which he replied in the negative. He himself stated that he was engaged as conductor and his services were regularised. However, he had shown his ignorance that the State Government has withdrawn the work that is public distribution functions and other distribution and marketing work from the respondent that and due to the transfer of this work the employees worked with the respondent became surplus. However, he denied that he also became surplus employee. He was also put to the suggestion by the respondent in his cross examination that he had abandoned the work at

his own to which he replied in the negative. However, he denied that his services were not disengaged in an illegal manner.

11. To controvert the evidence of the petitioner the respondent examined one Shri Rameshwar Singh, Manager of the society who appeared as RW1 and stated that the petitioner alongwith other employees who were working with the respondent filed an OA before the State Administrative Tribunal in the same case. He also stated that in year 2000 the State Government has withdrawn the P. D. S. and fertilisers distribution work as a policy decision from the respondent society and the respondent society was directed not to sell these articles through the society and therefore, the respondent society left with no source of other work and therefore, the employees of the society became surplus and the Board of Directors of the respondent society left with no chance except to dis-engage the petitioner.

12. In his cross examination, he admitted that the applicant worked as conductor w.e.f. August 1990 till 31-10-2000 as daily wager with the respondent society. Though he tried to clarify that the petitioner worked as workman and according to him workman means a person who works. He also admitted that the applicant worked for more than 240 days in each calendar year with the respondent society and no reasons has been as to why the applicant's services were dis-engaged. He also replied in the negative that the respondent has not employed junior person to the petitioner after his disengagement. He admitted that Shri Bir Bahadur is still working with the respondent as Part Time worker, who is junior to the petitioner. He also admitted that no notice under section 25 (F) of the Act was even issued to the applicant. However, he denied that the petitioner was not illegally disengaged.

13. The stand taken by the petitioner as is emerging from the evidence of the parties as referred to herein above, is that the petitioner who was working as a conductor with the respondent society and worked as from August 1990 till 31-10-2000, his services were dis-engaged by the respondent in violation of the mandatory requirements of Section 25-F of the Act and that after the removal/dis-engagement of the petitioner his juniors were engaged and they are still working. These facts are not disputed in the cross-examination by Shri Rameshwar Singh, RW1, the only witness examined by the respondent to controvert the claim of the petitioner.

14. Whereas the claim of the respondent as is emerging from the stand taken by the respondent in reply and also the facts stated in the examination in chief and the facts admitted in his cross examination, it appears that the respondent is not denying the fact that the services of the petitioner were dis-engaged without any notice etc. as required under section 25-F of the Act, rather the services of the petitioner were dis-engaged for the reasons that the state Government as a policy decision has withdrawn the P. D. S. and fertiliser work from the respondent society and as such the respondent society left with no work to engage the petitioner, other employees and therefore, the services of the petitioner were dis-engaged.

15. Shri Rameshwar Singh, RW1, has taken another stand while appearing as RW1 on behalf of the respondent that infact the services of the petitioner were not dis-engaged, rather the petitioner left the job at his own as in the cross examination of the petitioner, he was put to the suggestion that he himself abandoned the work at his own to which he had replied in the negative.

16. From the evidence of the parties there remains no doubt that the petitioner remained working with the respondent and discharged duties of a conductor from August 1990 till the date of his disengagement i.e. 31-10-2000 and a conductor is a workman within the meaning of Section 2 (s) of the Act, as it has been held by the Hon'ble Delhi High Court in case titled "Management of Roneo Vickers India Ltd. Vs. Lt. Governor

of Delhi", 1994 LLR 253 (Delhi). As per the statement of the petitioner and the facts admitted by Shri Rameshwar Singh, Manager, RW1 of the respondent Society that the services of the petitioner were not dispensed with after following the procedure as laid down under section 25-F of the act.

17. It has been stated by the petitioner while appearing as RW1 that he worked for 240 days in calendar year of his service and this is not disputed in his cross examination by the respondent. Rather Shri Rameshwar Singh, RW1, has admitted this fact in his cross examination and therefore, the petitioner is held to have continuous service on his credit as per the provisions of Section 25-B of the Act and automatically being a workman the petitioner is entitled for all the protections as provided under section 25-F of the Act, which reads as under :—

"25—F Conditions precedent to retrenchment of workman :—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) The workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice ;
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen day's average pay (for every completed year of continuous service) of any part thereof in excess of six months; and
- (c) Notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate Government by notification in the official gazette ."

18. The conditions enumerated in section 25-F are the conditions precedent and the provision of section 25-F are couched in mandatory form and non-compliance there with as of rendering the order of retrenchment void, *ab initio* or *non est* (State of Rajasthan Vs. Miss Usha Lokwani, 1994 LLR 369 (Raj.). In case titled "Auro Engg. Pvt. Ltd. Vs. R. A. Gadekar", 1992 (1) LLJ 693, Mr. Justice B. N. Srikrishna has explained the consequences of non-compliance of section 25-F of the Act as under :—

"It is settled law that section 25-F of the Act was introduced into the statute book by Parliament as a measure of amelioration. The section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source livelihood. Considering the constraining and the economy of the country as a whole and that of the industrial units, Parliament has limited this amelioration to what is specifically provided in Clauses (a) and (b) of Section 25-F viz. payment of one month's wages in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of section 25-F, the section imposes as mandatory duty on the employer which is a condition precedent to retrenchment of workman. Consequently contravention thereof, however, slight vitiates the act of retrenchment itself. When a statute mandated a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidated the retrenchment and renders it void *ab initio*."



19. And therefore, the termination of the petitioner by the respondent for the reason that the respondent was left with no work due to the change of policy decision by the State Government, has known the consequences for the reason that before dis-engaging the petitioner the respondent was required to follow the mandatory procedure laid down under section 25-F (a), (b) and (c) of the Act. Apparently, from the facts, circumstances and the evidence of the parties, as has been discussed hereinabove, the respondent while dis-engaging the services of the petitioner from his service as a conductor of the respondent society, has not followed the mandatory provisions laid down under section 25-F (a), (b), (c) of the Act and therefore, the termination of the petitioner is improper, unjustified and illegal.

20. Consequently, it is claimed by the petitioner while appearing as RW1 that though his services were dis-engaged by the respondent, but his juniors were retained in service in violation of the mandatory requirements of section 25-G of the Act.

21. Shri Rameshwar Singh, Manager of the respondent society while appearing as RW1 has admitted in his cross examination that the respondent has employed juniors to the applicant after his dis-engagement and Shri Bir Bahadur is still working with the respondent society. He also admitted that Shri Bir Bahadur is junior to the petitioner.

22. In view of the facts as referred to herein above admitted by Shri Rameshwar Singh, RW1, in his cross examination the dis-engagement of the petitioner also appears to be in violation of the principle of last come first go, enunciated under section 25-G of the Act. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another", 2001 LLR 312, that in case the services of the workman is terminated in violation of the mandatory requirements of section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions. In the present case the observations made by the Hon'ble Supreme Court is as under :—

"When an employee had put in service for more than 240 days in each calendar year for several years whether his services can be put to an end to without following the procedure prescribed under section 25-F of the Industrial Disputes Act. If there has been violation thereof such and employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court would have interfered with the award made by the Labour Court. The Labour Court therefore, rightly granted re-instatement with back wages and other consequential benefits".

23. In the present case the petitioner while appearing as PW1 has specifically stated that after his disengagement he is un-employed and that he has no work in government or private sector in any gainful employment. Whereas, the respondent had led no evidence on the record that the petitioner remained in any gainful employment after his dis-engagement. The respondent has also led no evidence on the record to show that the petitioner was at fault on account of any reason resulted in his dis-engagement and keeping in view the entire facts, circumstances and evidence on the record, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal, improper and unjustified dis-engagement and therefore, he is also entitled for all consequential service benefits including back wages to the extent of 50%.

24. From the evidence of the respondent also from the cross-examination of the petitioner nothing has come on the record to show that the petitioner was at fault due to any reason for his dis-engagement and therefore, in the

peculiar facts and circumstances of the present case, the petitioner is entitled for lump sum amount of Rs. 2,000/- as litigation expenses. Accordingly, both the issues are decided in favour of the applicant/petitioner and against the respondent.

### RELIEF

25. In view of my findings on above issues since the termination of the petitioner is illegal and unsustainable and therefore, the petitioner is held to be entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner is also entitled for all consequential service benefits including back wages to the extent of 50%. The petitioner shall also be entitled for a lump sum amount of Rs. 2,000/- as litigation expenses. The respondent is directed to re-engage the petitioner within the period of 90 days from the date of announcement of this award falling which the petitioner shall be entitled for full wages. The reference is answered accordingly.

26. Let a copy of this award be sent to the appropriate government for publication in the official gazette. The file after completion be consigned to the Record-Room.

Announced.

Seal.

GEORGE  
Presiding Judge,  
Labour Court cum-Industrial Tribunal,  
Dharmshala, (H.P.).

Certified copy of Award Passed by Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharmshala, H. P. (Camp at Chamba)

Reference No.	..	40/2002 (RBT No. 241/04)
Instituted on	..	4-2-2002
Decided on	..	21-5-2005

Shri Mukesh Kumar s/o Shri Baldev Ram, r/o village Diyoga, P. O. Salooni, District Chamba, H. P. ... *Petitioner.*

*Vs.*

The Executive Engineer, H. P. P. W. D. Division Salooni, District Chamba, H. P. ... *Respondent.*

Reference under section 10 of the Industrial Disputes Act, 1947.

For the petitioner .. Shri T. R. Bhardwaj, AR

For the respondent .. Shri P. C. Malhotra, AE, AR

### AWARD

The following reference has been received for adjudication from the appropriate Government :—

"Whether the verbal termination w. o. f. 2/99 of Shri Mukesh Kumar s/o Shri Baldev Ram daily wages Beldar by the Executive Engineer, H. P. P. W. D. Division Salooni, District Chamba and practice of giving intermittent breaks during the period 1-7-1995 to 2/99 is legal and justified? If not, to what seniority, service benefit and relief the concerned workman is entitled to."

2. On notice, the petitioner Mukesh Kumar filed his statement of claim wherein he pleaded that he was engaged by the respondent as beldar on daily wages basis from 7/1995 and he worked as such with the respondent with sincerity, honesty and to the entire satisfaction of the respondent. The petitioner further pleaded that he was given illegal intermittent breaks in his service tenure as

beldar by the respondent from 12/1995 to 2/1999 and he was verbally terminated by the respondent in 2/1999 without assigning any reason and without giving any opportunity of being heard and since then he is unemployed. The petitioner averred that by giving intermittent breaks in his service by the respondent, he could not complete 240 days in any calendar year of his service tenure and therefore, he has been deprived of the protection of provisions of section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act) and regularisation as per the policy framed by the State Government and thus, his termination is illegal and without any ground. The petitioner further averred that the policy of last come first go has not been followed by the respondent which is against provisions of section 25-G of the Act, as the persons junior to him are still in service of the respondent. The petitioner averred that the intermittent breaks in his service tenure were given just to benefit the junior workmen and hence the act of the respondent is arbitrary, unconstitutional and unjustified and against the public policy. The petitioner claimed that if his services had not been terminated and had not given illegal intermittent breaks, he would have completed 240 days in every calendar year. The petitioner prayed that the intermittent breaks given in his service by the respondent may be ordered to be added in the service tenure and he may be ordered to be re-instated in the service as Beldar with the respondent from the date of his illegal termination i.e. 2/99 with full back wages, seniority and other consequential benefits.

3. The respondent contested the claim petition filed by the petitioner and filed written reply wherein raised the preliminary objections that the present petition of the applicant is not maintainable as no legal or fundamental right of the applicant has ever been infringed in any manner, the applicant has never completed the criteria of 240 days in any of calendar year i.e. from 1995 to 2001, his services were never terminated/retrenched during 2/99 but he left the job at his own accord. He was habitual and remained absent from duty willfully and hence the question of illegal termination of the petitioner during 2/99 is totally false, baseless and away from the truth.

4. On merits, the respondent denied all other assertions made by the petitioner in his statement of claim and averred that the services of the petitioner were never terminated by the respondent during 2/99, but he had left the job at his own accord and no intermittent breaks were given to the applicant. The applicant has never completed the criteria of 240 days in any year from 1995 to 2001 as such there was no need to serve notice under Section 25-F of the Act and thus, the plea of the applicant is totally wrong and therefore, the respondent prayed for the dismissal of the claim petition.

5. The petitioner filed rejoinder to the reply filed by the respondent wherein he reiterated and re-affirmed the pleadings made by him in his statement of claim and denied all other assertions made by the respondent in the reply.

6. On the respective assertions of the parties following issues were framed for decision on 26-5-2004 :-

1. Whether the action of termination of petitioner by respondent by giving breaks without complying the provisions of Industrial Disputes Act, 1947 is legal and justified? OPR
2. Whether there is violation of provisions of section 25-F and 25-G of I.D. Act, 1947? OPR
3. If issue No. 1 is not proved, to what relief of service benefits the petitioner is entitled to? OPR
4. Whether the petition is not maintainable as alleged in preliminary objections No. 1? OPR
5. Relief OPR

7. For the reasons to be recorded hereinafter my issue wise findings are as under :

Issue No. 1	..	No
Issue No. 2	..	Yes
Issue No. 3	..	Yes
Issue No. 4	..	No
Relief	..	The petition is allowed as per operative part of the Award

#### REASONS FOR FINDINGS

Issue No. 1, 2 and 3.

8. All the three issues are inter-connected and hence taken together for discussions and findings.

9. The petitioner Mukesh Kumar appeared as PW1 and he stated that he was engaged as daily waged beldar by the respondent in July, 1995 and he worked as such till February, 1999. In February, 1999 his services were dispensed with by the respondent without serving any notice and payment of retrenchment compensation. The respondent used to give him artificial breaks during the aforesaid period so that the petitioner may not be able to complete 240 working days of service in each calendar year. His services were terminated by the respondent in an illegal and unjustified manner. Though he was disengaged, but his juniors were retained and they are still working with the respondent namely Dharmender, Suresh Kumar etc. The petitioner kept on requesting the respondent for his re-instatement and also for not giving him artificial breaks in his service, but of no avail. He also sent a written representation Ex. PA. He also stated that after his dis-engagement w.e.f. February, 1999 he is unemployed and therefore, the entire period of his artificial breaks during the service may be treated on duty and he may be re-instated with full back wages and other consequential benefits.

10. In his cross-examination, he was put to the suggestion that he did not voluntarily join his duty, to which he replied in the negative, rather he stated that he was not allowed to complete 240 days by the respondent. He admitted that he moved the Administrative Tribunal for his illegal dis-engagement.

11. The respondent in order to controvert the evidence of the petitioner examined Shri P. C. Matlotia, Assistant Engineer, as RW1, who has stated that the petitioner was engaged as daily wage beldar w.e.f. July, 1995 to January 2001. The petitioner has not completed 240 days during this period in any year. He has also brought on the record the mandays chart of the petitioner Ex. RW1/A. He also stated that the petitioner used to remain willfully absent and after 2001 the petitioner left the job and he did not turn up. The petitioner was not dis-engaged by the respondent at any point of time.

12. In his cross-examination he admitted that the respondent has not produced the original muster rolls for the period February and March, 1999, in which the name of the petitioner has not been enrolled. He admitted that after conciliation proceedings the petitioner was again engaged and disengaged. However, he tried to state at his own that the petitioner left the job at his own. He admitted that the original muster rolls he has not brought in evidence on the basis of which the mandays chart Ex. RW1/A was prepared. He also admitted that the name of the applicant has not been enrolled in the muster rolls during the months mentioned in the Ex. RW1/A as blank. The respondent never called any explanation of the petitioner for his willful absence. However, he denied that the petitioner was retrenched, but he admitted that no explanation of the petitioner was called at any point of time. He admitted that no notice has been given to the petitioner, nor any retrenchment compensation was paid nor the permission of the appro-

private Government was obtained. He also admitted that no charge sheet has been served upon the petitioner nor any enquiry has held, nor any opportunity of being heard in person allowed to the petitioner. In the last lines of his cross-examination, he admitted that Shri Dharmender, Suresh etc. are working with the respondent and their date of engagement is October, 1995 and March, 1996 respectively. He also admitted that the respondent has no written proof that the petitioner has left the job of his own.

13. The claim of the petitioner as is emerging from his statement as PW1 is that he was engaged a daily wage by the respondent in July, 1995 and he worked as such till February, 1999 when his services were dis-engaged and also that during this period he was given artificial breaks so that he may not be able to complete 240 days of service in each calendar year of his service. This fact is not contradicted by the cross-examination of the petitioner as PW1.

14. The next claim of the petitioner is that despite the fact that he was dis-engaged by the respondent in an illegal manner without any notice and payment of compensation, but his juniors were retained and they continued to work with the respondent namely Dharmender, Suresh and others. This fact is also not contradicted by the respondent in the cross-examination of the petitioner as PW1. Rather Shri P. C. Matlotia, Assistant Engineer, who appeared as RW1 has admitted in his cross-examination that the name of the petitioner was not enrolled in the muster rolls during the months mentioned/written blank in Annexure R-1, Ex. RW1/A (Mandays chart) which clearly reveals that it was not the fault of the petitioner for not enrolling his name in the muster rolls during the months mentioned/written blank in Mandays chart Ex. RW1/A.

15. It is a settled and established position of law that any artificial breaks if given by an employer in order to defeat the provisions of welfare enactment which amounts to an unfair labour practice and a tactics defeat to the mandatory provisions of law.

16. It is also well settled that the period of cessation work or any artificial breaks given in the service of an employee not due to any fault on the part of the employee always gets calculated as a period of continuous service as defined under section 25-B of the Act. Section 25-B of the Act reads as under :—

“25-B. Definition of continuous service.—For the purpose of this Chapter :—

- (1) A workman shall be said to be in continuous service for a period if he, is for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not legal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman ;
- (2) where workman is not in continuous service within the meaning of clause (1) for a period of one year or six months, he shall be deemed to be in continuous service under an employer ;
- (3) for a period of one year, if the workman, during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than :
  - (i) one hundred and ninety days in the case of workman employed below ground in a mine; and
  - (ii) two hundred and forty days, in any other case ;”

17. The words “Cessation of work” which is not due to any fault on the part of a workman envisaged by the legislature in sub-section 1 of Section 25-B of the

Act, makes it clear that the cessation of work which is not due to any fault of the workman is to be included for calculating the continuous service of one year as defined under section 25 B of the Act.

18. It appears from the mandays chart Ex. RW1/A that in the last preceding 12 months i.e. before a February 1999, the month in which the services of the petitioner were disengaged by the respondent, the period from March, 1998 till January, 1999, the total number of working days of the petitioner comes to 216 1/2 and if the period of May, 1998, August, 1998 and December, 1998 is taken into account as working days of the petitioner, because the name of the petitioner was not enrolled by the respondent during these three months without any fault on the part of the petitioner are therefore, are liable to be calculated in the period of continuous service that means the total number of working days of the petitioner comes to 216-1/2 plus 93 days, total 309-1/2 days (counting 31 days each for May, August and December, 1998).

19. It is also well established and settled position of law that in computation of period under sub-section (2) of section 25 B of the Act, Sundays and holidays should be taken into account (G. Yadi Reddy v. Brook Bond India Ltd., 1994 LLR 328 (AP) (DB), thus approximately during the period March, 1998 till January, 1999 all Sundays and national holidays if counted towards the working days of the petitioner, that comes not less than 52 days and if this period is taken half of the mark at least 26 days are required to be counted and thus, having regard to the totality of the working days in the light of the evidence and the position of law as has been discussed herein above, the petitioner has completed 216-1/2+93+26, which comes to 335-1/2 working days and therefore, the petitioner is deemed to be in continuous service for period of one year as per the requirement of section 25-B of the Act. Even if for arguments sake the period of 93 days i.e. May, August and December, 1998 are not counted, even then the petitioner appears to have completed more than 240 working days i.e. 215-1/2+26 total 242-1/2 working days, in the last preceding twelve months i.e. March, 1998 to January, 1999.

20. The contention raised on behalf of the respondent that the petitioner has failed to completed 240 working days in each calendar year and therefore, he is not entitled for the protection of mandatory requirements of Section 25-F of the Act, appears to be totally mis-conceived and unsound. Since the petitioner has completed more than 240 working days during the period of 12 calendar months preceding the date of his termination as has been discussed in details herein above, and therefore, the petitioner is entitled for all the safeguards provided under section 25-F of the Act. Section 25 F of the Act reads as under :—

“25-F. Conditions precedent to retrenchment of workmen :—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice ;
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate government (or such authority as may be specified by the appropriate Government by notification in the Official gazette) ”

21. The petitioner while appearing as PW1 has stated that at the time his services were retrenched in February, 1999, he was not served with any notice nor paid any retrenchment compensation, nor the permission of the appropriate Government was sought. This fact has been admitted by Shri P. C. Matlotia, Assistant Engineer, RW1, in his cross-examination. The conditions enumerated in section 25-F clause a, b and c are conditions precedent and are couched in mandatory form and non-compliance therewith has the result of rendering the order of retrenchment void, *ab initio* or *non est* (State of Rajasthan Vs. Miss Usha Lekwani, 1994 LLR 369 (Raj.)).

22. Since the respondent has not complied with any of the mandatory conditions laid down under Section 25-F (a), (b) and (c) of the Act, while disengaging the service of the petitioner and therefore, the dis-engagement of the petitioner is unjustified, illegal void and is liable to be set aside.

23. The next contention of the petitioner is that his services were dis-engaged in February, 1999, however, his juniors namely Dharminder, Suresh and others were retained in service and this aspect of the version given by the petitioner has not been contradicted by the respondent in the cross-examination of the petitioner, rather Shri P. C. Matlotia, RW1, in his cross-examination admitted that the persons namely Dharminder and Suresh are still working with the respondent and their date of engagement is October, 1995 and March, 1996 respectively. Whereas the mandays chart Ex. RW1/A brought on the record by the respondent reveals that the petitioner was engaged in July, 1995 and therefore, there is no doubt left that the petitioner is definitely senior to both these workmen namely Dharminder and Suresh and the dis-engagement of the petitioner is therefore, is violative of section 25-G of the Act. Section 25-G of the Act reads as under :—

**"25-G Procedure for retrenchment:—**

Where any workman in an industrial establishment who is a citizen of India, is to be retrenched and he belongs to particular category of workmen in that establishment, in the absence of any agreement between the employer and the workman in this behalf, the employer shall ordinarily retrench the workman who was the last person to be employed in that category unless for reasons to be recorded the employer retrenches any other workman".

24. In view of the facts deposed by the petitioner as PW1 and which remains un-contradicted and the facts admitted by Shri P. C. Matlotia, RW1 as referred to herein above, the dis-engagement of the petitioner is violative of section 25-G of the Act.

25. The contention raised by the respondent that the petitioner left the job at his own after 2001 appears to be not relevant in the facts and circumstances of the present case for the reason that the reference has been received from the appropriate Government to this court for adjudication as to whether the termination of the petitioner w. e. f. February 1999 by the respondent is legal and justified. The respondent has led no evidence to prove that the petitioner abandoned the job at his own in February, 1999. Otherwise also abandonment of job without any intimation to the employer is a serious misconduct for which the workman is required to be proceeded against departmentally instead of dispensing with his services of removing his name from the muster roll automatically.

26. Shri P. C. Matlotia, while appearing as RW1, has admitted in his cross-examination that no notice was given, nor any compensation was paid, nor the petitioner at any point of time was served with any explanation for his absence, nor any enquiry was conducted. The petitioner was also not given an opportunity of being heard in person. All these facts have been admitted by Shri P. C. Matlotia, RW1, in his cross-

examination, which makes it clear beyond all doubts that the respondent has taken the plea of abandonment of job by the petitioner after thought, which has no relevance in the facts and circumstances of the present case. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another" 2001 LLR 312 that in case any workman is terminated in violation of the mandatory requirements of Section 25-F of the Act, the workman is required to be re-instated on the same terms and conditions in which he was working prior to his illegal termination.

27. The petitioner has claimed that he is unemployed on account of his illegal dis-engagement and the respondent has led no evidence on the record that after the dis-engagement of the petitioner, he is gainfully employed. Under these circumstances, the petitioner is definitely entitled not only for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination, but also for all consequential service benefits including seniority and back wages to the extent of 50%. Accordingly, all the three issues are decided in favour of the petitioner and against the respondent.

**Issue No. 4:**

28. In view of my findings on issue No. 1 to 3 above, the contention of the respondent that the petition is not maintainable appears to be totally mis-conceived. The petitioner has completed the required number of working days in the last twelve preceding months of his dis-engagement and therefore, the contention raised on behalf of the respondent is without any factual or legal force. Accordingly this issue is also decided in favour of the petitioner and against the respondent.

**RELIEF**

29. In view of my findings on above issues, since the dis-engagement of the petitioner by the respondent is held to be illegal and unjustified and therefore, the petitioner is entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner shall also be entitled for all consequential service benefits including seniority and back wages to the extent of 50%. In the peculiar facts and circumstances of the case, since the petitioner has been put to un-warranted relentless litigation due to no fault on his part, he is also entitled for lump sum amount of Rs. 2000/- as litigation expenses. The respondent is directed to re-engage the petitioner within a period of 90 days from the date of announcement of this Award failing which the petitioner shall be entitled for full wages. The State Government, if feels it appropriate, may order proper enquiry and fix accountability on those Officer(s) who are responsible for this "relentless litigation" including the Officer(s) who had peremptorily terminated the petitioner. The reference is answered accordingly.

30. Let a copy of this award be sent to the appropriate Government for publication in the official gazette. The file after completion be consigned to the record room.

Announced.

Seal.  
GEORGE,  
Presiding Judge,  
Labour Court-cum-Industrial Tribunal,  
Dharamshala, Himachal Pradesh.

Certified copy of Award dated 6-6-05 passed by Hon'ble Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala, Himachal Pradesh

Reference No. : 88/2002 (RBT No. 151/04)  
Instituted : 13-3-2002  
Decided on : 6-6-2005

Kuldeep Kumar s/o Shri Jagdish Chand, V. P. O. Arla, Tehsil Palampur, District Kangra, Himachal Pradesh  
Petitioner.

Vs.

The Tehsil Palampur Co-operative Marketing and Consumer Society Ltd. Maranda, through its Manager



Tehsil Palampur District Kangra, Himachal Pradesh.  
.. Respondent.

Reference under Section 10 of the Industrial Disputes Act, 1947

For the petitioner : Shri Vishal Sood, Vice Counsel.  
For the respondent : Shri Ajay Sharotari, Adv.

#### AWARD

The following reference has been received for adjudication from the appropriate government :—

“Whether the termination of the services of ex-daily waged Driver Shri Kuldeep Kumar s/o Shri Jagdish Chand, V. P. O. Arla, Tehsil Palampur, District Kangra, Himachal Pradesh by the Management of the Tehsil Palampur Co-operative Marketing and Consumer Society Ltd. Maranda, Tehsil Palampur, District Kangra, Himachal Pradesh w. e. f. 31-10-2000 without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 is legal and justified? If not, what service benefits and reliefs the above workman is entitled to?”

2. On notice, the petitioner Kuldeep Kumar filed his statement of claim wherein he pleaded that he joined the respondent w. e. f. 15-7-1998 as Driver and he was appointed on daily wages as such at Maranda. The petitioner further pleaded that since 1998 he was serving with the respondent society with utmost sincerity and that on 31-10-2000 he received a letter to the effect that his service were no longer required by the society. No reasons has been assigned as to why his services are not required especially when the society is not closing its venture. The petitioner averred that he has completed 240 days in the previous calendar year and the respondent had terminated his services without complying the mandatory requirements of law as the respondent has not served him with the notice as required under Section 25-F of the Industrial Disputes Act, 1947 (herein after referred in short as the Act) and as such, the reference has been made by the Labour Commissioner. The petitioner averred that no compliance of any provision of the Act has been done by the respondent and thus, his termination is totally arbitrary, discriminatory, illegal in violation of provisions of Act in general and Section 25-F particular and thus, void *ab initio* and his retrenchment is bad as the respondent is now engaging some other persons to perform the duties. The petitioner further averred that the respondent has retained his juniors and after his retrenchment he has been any where gainfully employed. The petitioner therefore, prayed that the petition may kindly be allowed and the petitioner may kindly be ordered to be re-instated as a Driver by revoking the illegal order of his termination dated 31-10-2000 with full back wages with interest and consequential benefits.

3. The respondent contested the claim petition filed by the petitioner and filed written reply wherein raised the preliminary objection that the petition as filed neither competent nor maintainable before this Hon'ble Court, the petitioner is not entitled to invoke the jurisdiction as vested in this Hon'ble Court specially in view of Section 92 of the Act, which bars the jurisdiction of the courts and in the matter, if petitioner has got some dispute with respect to his engagement discontinuation, the same can only be adjudicated as per the provisions of the Act and thus, the present petition as filed is liable to be rejected. The respondent further raised the preliminary objection that the petitioner above stated has filed OA No. 2654 of 2001 titled Manoj Dixit and others Versus State of Himachal Pradesh and others, which was filed on 16-9-2001, whereas, the petitioner appears to have been filed somewhere in the year 2002, the OA earlier in point of time praying the same reliefs, the petitioner as filed now is not maintainable and thus, the petitioner is estopped by his act, conduct and acquiescence and jurisdiction of two courts cannot be invoked.

4. On merits, the respondent denied all other assertions made by the petitioner in his statement of claim. The respondent further averred that in view of the work which once accrued for which the services of the petitioner were engaged, having ceased in view of the policy of the State of Himachal Pradesh thereby taking a policy decision not to sell a few items through Society, no other source was left except to dis-engage the services of the employees who get rendered surplus. The respondent pleaded that the petitioner not being workman, respondent being not industry provisions of the Industrial Disputes Act cannot be raised and therefore, the petition filed is not maintainable. The respondent prayed that the petition may be dismissed.

5. The petitioner filed rejoinder to the reply filed by the respondent wherein here-affirmed and reiterated the assertions made by him in his statement of claim and denied all the pleadings made by the respondent in their reply.

6. On the respective assertions of the parties following issues were framed for decision on 5-11-2004 :—

1. Whether the termination of services of the petitioner w. e. f. 31-10-2000 by the respondent is in violation of the provisions of section 25-F of the Industrial Disputes Act, 1947 and therefore, void and unsustainable, as alleged ?

OPP.

2. If issue No. 1 is proved in affirmative, to what relief the petitioner is entitled to alongwith the service benefits ?

OPP.

3. Relief.

7. For the reasons to be recorded hereinafter my issue-wise findings are as under :—

Issue No. 1 .. Yes.

Issue No. 2 .. As per operative part of Award.

Relief .. The petition is allowed as per operative part of the Award.

#### REASONS FOR FINDINGS

Issue No. 1 and 2:

8. Both the issues are inter-connected and hence taken together for discussions and findings.

9. The petitioner Kuldeep Kumar appeared as PW1 and he stated that he joined the services of the respondent w. e. f. 15-7-1998 as Driver and was appointed on daily wages. His services were dispensed with by the respondent vide letter Ex. PW1/A without any reason. He served with the respondent with utmost sincerity and to the satisfaction of the respondent. He has completed 240 days in each calendar year. His services were terminated without compliance of mandatory requirements of law. The respondent have not served any notice as required under section 25-F of the Act. Dis-engagement of the petitioner is arbitrary and illegal and as such, he is entitled for his re-engagement from the date of his termination. He had not worked anywhere from the date of his dis-engagement in any gainful employment. The respondent has engaged some junior persons and they are still in service. The petitioner was dis-engaged in an illegal and arbitrary manner vide order Ex. PW1/A w. e. f. 31-10-2000 which is required to be declared as null and void.

10. In his cross-examination, he was put to the suggestion that the respondent is a registered society and have its own byelaws, which he admitted as correct. He also admitted that he alongwith other workers filed a petition before the Administrative Tribunal which was later on dismissed as withdrawn. He was also put to the suggestion that he was engaged as daily wage on purely temporary basis to which he replied in the nega-

live. He had shown his ignorance that the State Government has withdrawn the work that is, public distribution functions and other distribution and marketing work from the respondent that and due to the transfer of this work the employees worked with the respondent became surplus. However, he denied that he became surplus employee. He was also put to the suggestion by the respondent in his cross-examination that he had abandoned the work at his own to which he replied in the negative. However, he denied that his services were not dis-engaged in an illegal manner.

11. To controvert the evidence of the petitioner the respondent examined one Shri Rameshwar Singh, Manager of the respondent society who appeared as RW1 and stated that the petitioner alongwith some other employees who were working with the respondent filed an OA before the State Administrative Tribunal in the same case. He also stated that in the year 2000 the State Government has withdrawn the P. D. S. and fertilizers distribution work as a policy decision from the respondent society, and the respondent society was directed not to sell these articles through the society and therefore, the respondent society left with no source of other work and therefore, the employees of the society became surplus and the Board of Directors of the respondent society left with no chance except to dis-engage the petitioner. He also stated that the applicant Kuldeep Kumar was earlier engaged as a Driver on daily rate purely on temporary basis.

12. In his cross-examination, he admitted that the applicant worked as Driver *i.e.* f. 1998 till 31-10-2000 as daily wage with the respondent society. Though he tried to clarify that the petitioner worked as workman and according to him workman means a person who works. He also admitted that the applicant worked for more than 240 days in each calendar year with the respondent society and no reason has been as to why the applicant's services were dis-engaged. He also replied in the negative that the respondent has not employed junior persons to the petitioner after his dis-engagement. He admitted that Shri Bir Bahadur is still working with the respondent as Part Time worker, who is junior to the petitioner. He also admitted that no notice under section 25-F of the Act was ever issued to the applicant. However, he denied that the petitioner was not illegally dis-engaged.

13. The stand taken by the petitioner, as is emerging from the evidence of the parties as referred to hereinabove, is that the petitioner who was working as a Driver with the respondent society and worked as such from 1998 till 31-10-2000, his services were dis-engaged by the respondent in violation of the mandatory requirements of section 25-F of the Act and that after the removal/dis-engagement of the petitioner his juniors were engaged and they are still working. These facts are not disputed in the cross-examination by Shri Rameshwar Singh, RW1, the only witness examined by the respondent to controvert the claim of the petitioner.

14. Whereas the claim of the respondent, as is emerging from the stand taken by the respondent in reply and also the facts stated in the examination in chief and the facts admitted in his cross-examination, it appears that the respondent is not denying the fact that the services of the petitioner were dis-engaged without any notice etc. as required under section 25-F of the Act, rather the services of the petitioner were dis-engaged for the reason that the State Government as a policy decision has withdrawn the P. D. S. and fertiliser work from the respondent society and as such, the respondent society left with no work to engage the petitioner and other employees and therefore, the services of the petitioner were dis-engaged.

15. Shri Rameshwar Singh, RW1, has taken another stand while appearing as RW1 on behalf of the respondent that infact the services of the petitioner were not dis-engaged, rather the petitioner left the job at his own as in the cross-examination of the petitioner, he was put

to the suggestion that he himself abandoned the work at his own to which he has replied in the negative.

16. From the evidence of the parties, there remains no doubt that the petitioner remained working with the respondent and dis-charged duties of a Driver from 1998 till the date of his dis-engagement *i.e.* 31-10-2000 and a Driver is a workman within the meaning of section 2 (s) of the Act. As per the statement of the petitioner and the facts admitted by Shri Rameshwar Singh, Manager, RW1, of the respondent society that the services of the petitioner were not dispensed with after following the procedure as laid down under section 25-F of the Act.

17. It has been stated by the petitioner while appearing as PW1 that he worked for more than 240 days in each calendar year of his service and this fact is not disputed in his cross-examination by the respondent. Rather Shri Rameshwar Singh, RW1, has admitted this fact in his cross-examination and therefore, the petitioner is held to have continuous service on his credit as per the provisions of section 25-B of the Act and automatically being a workman the petitioner is entitled for all the protections as provided under section 25-F of the Act, which reads as under :—

“25-F.— Conditions precedent to retrenchment of workmen :—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice ;
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate government (or such authority as may be specified by the appropriate Government by notification in the official Gazette). ”

18. The conditions enumerated in section 25-F are the conditions precedent and the provisions of the section 25-F are couched in mandatory form and non-compliance therewith has a result of rendering the order of retrenchment void, *ab initio* or nonest (State of Rajasthan Vs. Miss Usha Lokwani, 1994 LLR 369 (Raj.), in case titled “Auro Engg. Pvt. Ltd. Vs. R. A. Gadekar”, 1972 (1) LLJ 693, Mr. Justice B. N. Srikrishna, has explained the consequence of non-compliance of section 25-F of the Act, as under :—

“It is settled law that section 25-F of the Act was introduced into the statute book by parliament as a measure of amelioration. The section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source of livelihood. Considering the constraining and the economy of the country as a whole and that of the industrial units, Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of section 25-F, viz. payment of one month's wages in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of section 25-F, the section imposes a mandatory duty on the employer which is a condition precedent to retrenchment of workmen. Consequently, contravention thereof, however, slightly vitiates the act of retrenchment, there is no difficulty in holding that breach of the said condition

invalidates the retrenchment and renders it void *ab initio*".

19. And therefore, the termination of the petitioner by the respondent for the reason that the respondent was left with no work due to the change of policy decision by the State Government, has to know the consequence for the reason that before dis-engaging the petitioner the respondent was required to follow the mandatory procedure laid down under section 25-F (a), (b) and (c) of the Act. Apparently from the facts, circumstances and the evidence of the parties, as has been discussed hereinabove, the respondent while dis-engaging the services of the petitioner from his service as a Driver of the respondent society, has not followed the mandatory provisions laid down under section 25-F (a), (b) and (c) of the Act and therefore, the termination of the petitioner is improper, unjustified and illegal.

20. Consequently, it is claimed by the petitioner while appearing as PW1 that though his services were dis-engaged by the respondent, but his juniors were retained in service in violation of the mandatory requirements of section 25-G of the Act.

21. Shri Rameshwar Singh, Manager of the respondent society while appearing as RW1 has admitted in his cross-examination that the respondent had employed juniors to the applicant after his dis-engagement and Shri Bir Bahadur is still working with the respondent society. He also admitted that Shri Bir Bahadur is junior to the petitioner.

22. In view of the facts as referred to herein above, admitted by Shri Rameshwar Singh, PW1, in his cross-examination, the dis-engagement of the petitioner also appears to be in violation of the principle of last come first go, enunciated under section 25-G of the Act. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another", 2001 LLR 312, that in case the services of the workman is terminated in violation of the mandatory requirements of Section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his termination alongwith back wages. The observations made by the Hon'ble Supreme Court is as under :—

"When an employee had put in service for more than 240 days in each calendar year for several years whether his services can be put to an end to without following the procedure prescribed under section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original Services on the same terms and condition in which he was working earlier. If this is the position of law, we fall to understand and as to how the High Court would have interfered with the award made by the Labour Court. The Labour Court therefore, rightly granted re-instatement with back wages and other consequential benefits.

23. In the present case the petitioner while appearing as PW1 has specifically stated that after his dis-engagement he is un-employed and that he has not worked in government or private section in any gainful employment. Whereas, the respondent had led no evidence on the record that the petitioner remained in any gainful employment after his dis-engagement. The respondent had also led to evidence on the record to show that the petitioner was at fault on account of any reason resulted in his dis-engagement and keeping in view the entire facts, circumstances and evidence on the record, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal, improper and unjustified dis-engagement and therefore, he is also entitled for all consequential service benefits including back wages to the extent of 50 %.

24. From the evidence of the respondent and also from the cross-examination of the petitioner nothing has come on the record to show that the petitioner was at fault due to any reason for his dis-engagement and therefore, in the peculiar facts and circumstances of the present case, the petitioner is held to be entitled for lump-sum amount of Rs. 2,000/- as litigation expenses. Accordingly, both the issues are decided in favour of the petitioner and against the respondent.

#### RELEIF

25. In view of my findings on above issues, since the termination of the petitioner is illegal and unsustainable and therefore, the petitioner is held to be entitled his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner is also entitled for all consequential service benefits including back wages to the extent of 50%. The petitioner shall also be entitled for a lump-sum amount of Rs. 2000/- as litigation expenses. The respondent is directed to re-engage the petitioner within a period of 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

26. Let a copy of this award be sent to the appropriate government for publication in the official gazette. The file after completion be consigned to the record room.

Announced.  
6-6-2005

GEORGE  
Presiding Judge,  
Labour Court-cum-Industrial Tribunal,  
Dharamshala, H. P.

Certified Copy of award dated 6-6-2005 passed by  
Sh. George, Presiding Judge, Labour Court-cum-Industrial  
Tribunal, Dharamshala, H. P.

Reference : No. 119/2002 (RBT No. 150/04)

Instituted : on 16-5-2002

Decided on : 6-6-2005.

Shri Ramesh Chand son of Shri Prem Chand, r/o  
Village Lower Lambagaon, Tehsil Jaisinghpur, District  
Kangra, H. P. ... Petitioner.

Vs.

The Management of the Tehsil Palampur Co-operative  
Marketing and Consumer Society Ltd., Miranda,  
Tehsil Palampur, District Kangra, H. P. ... Respondent.

Reference under Section 10 of the Industrial Disputes  
Act, 1947.

For the petitioner : Shri Vishal Sood, Vice Counsel

For the respondent : Shri Ajay Sharotri, Ac'v.

#### AWARD

The following reference has been received for adjudication from the appropriate Government :—

"Whether the termination of services of Shri Ramesh Chand s/o Shri Prem Chand, Village & P. O. Lambagaon-Lower, Tehsil Jaisinghpur, District Kangra, H. P. Part-time Chowkidar by the management of the Tehsil Palampur Co-operative Marketing & Consumers Society Ltd. Miranda, Tehsil Palampur, District Kangra w. c. f. 1-11-2000 without complying the provisions of section 25-F of the Industrial Disputes Act, 1947 is legal and justified, if not, what relief and benefits the above workman is entitled to?"



2. "Whether the demand of Shri Ramesh Chand, workman for the grant of wages under the Minimum Wages Act, 1947 w.e.f. 12-7-1998 is proper and justified? If so, to what relief Shri Ramesh Chand workman is entitled to?"

2. On notice, the petitioner Ramesh Chand filed his statement of claim wherein he pleaded that he joined the respondent w.e.f. 12-7-1998 as Part-time Chowkidar and he was appointed on daily wages as such at Maranda. The petitioner further pleaded that since 1998 he was serving with the respondent society with utmost sincerity and that on 31-10-2000 he received a letter to the effect that his services were no longer required by the society. No reasons has been assigned as to why the services are not required especially when the society is not closing its venture. The petitioner averred that he has completed 240 days in the previous calendar year and the respondent had terminated his services without complying the mandatory requirements of law as the respondent has not served him with the notice as required under section 25-F of the Industrial Disputes Act, 1947 (hereinafter referred in short as the Act) and as such the reference has been made by the Labour Commissioner. The petitioner averred that no compliance of any provision of the Act has been done by the respondent and thus, his termination is totally arbitrary, discriminatory, illegal in violation of provisions of Act in general and Section 25 in particular and thus void *ab initio* and his retrenchment is bad as the respondent is now engaging some person to perform the duties. The petitioner further averred that the respondent has retained his juniors and after his retrenchment he has not been anywhere gainfully employed. The petitioner therefore, prayed that the petition may kindly be allowed as the petitioner may kindly be ordered to be re-instated as a Part-time Chowkidar by revoking the illegal order of his termination dated 30-10-2000 with full back wages with interest and consequential benefits.

3. The respondent contested the claim petition filed by the petitioner and filed written reply wherein raised the preliminary objections that the petition as filed by neither competent nor maintainable before this Hon'ble Court, the petitioner is not entitled to invoke the jurisdiction as vested in this Hon'ble Court specially in view of section 92 of the Act, which bars the jurisdiction of the courts and in the matter, if petitioner has got some dispute with respect to his engagement/discontinuation, the same can only be adjudicated as per the provisions of the Act and thus, the present petition as filed is liable to be rejected. The respondent further raised the preliminary objection that the petitioner above stated has filed OA No. 2654 of 2001 titled Manoj Dixit and others Versus State of H. P. and others, which was filed on 16-9-2001, whereas, the petitioner appears to have been filed somewhere in the year 2002, the OA earlier in point of time praying the same reliefs, the petition as filed now is not maintainable and thus the petitioner is estopped by his Act, conduct and acquiescence and jurisdiction of two court cannot be invoked.

4. On merits, the respondent denied all other assertions made by the petitioner in his statement of claim. The respondent further averred that in view of the work which once accrued for which the services of the petitioner were engaged, having ceased in view of the policy of the State of Himachal Pradesh thereby taking a policy decision not to sell a few items through Society, no other source was left except to disengage the services of the employees who got rendered surplus. The respondent pleaded that the petitioner not being workman, respondent being not industry, provisions of the Industrial Disputes Act cannot be raised and therefore, the petition is not maintainable. The respondent prayed that the petition may be dismissed.

5. The petitioner filed rejoinder to the reply filed by the respondent wherein he re-affirmed and re-iterated the assertions made by him in his statement of claim and denied all the pleadings made by the respondent in their reply.

6. On the respective assertions of the parties following issues were framed for decision on 5-11-2004 :

1. Whether the termination of services of the petitioner w.e.f. 1-11-2000 by the respondent is in violation of the provisions of Section 25-F of the Industrial Disputes Act, 1947 and therefore, void and un-sustainable as alleged? OPP.

2. If issue No. 1 is proved in affirmative, to what relief the petitioner is entitled to alongwith service benefits? OPP.

3. Relief.

7. For the reasons to be recorded herein after my issues-wise findings are as under :—

Issue No. 1. Yes.

Issue No. 2 As per operative part of Award.

Relief The petition is allowed as per operative part of the Award.

### REASONS FOR FINDINGS

Issue No. 1 And 2:

8. Both the issues are inter-connected and hence taken together for discussions and findings.

9. The petitioner Ramesh Chand appeared as PW1 and he stated that he joined the services of the respondent w.e.f. 12-7-1998 as Part Time Chowkidar and was appointed on daily wages. His services were dispensed with by the respondent vide letter Ex. PW1/A without assigning any reason. He served with the respondent with utmost sincerity and to the satisfaction of the respondent. His services were terminated without compliance of mandatory requirements of Law. The respondent have not served any notice as required under section 25-F of the Act. Dis-engagement of the petitioner is arbitrary and illegal and as such, he is entitled for his re-engagement from the date of his termination. He had not worked anywhere from the date of his dis-engagement in any gainful employment. The respondent has engaged some junior persons and they are still in service. The petitioner was dis-engaged in an illegal and arbitrary manner vide order Ex. PW1/A w.e.f. 31-10-2000 which is required to be declared as null and void.

10. In his cross-examination, he was put to the suggestion that the respondent is a registered society and have its own bye laws, which he admitted as correct. He also admitted that he alongwith other workers filed a petition before the Administrative Tribunal which was later on dismissed as withdrawn. He was also put to the suggestion that he was engaged as daily wage on purely temporary basis to which he replied in the negative. He had shown his ignorance that the State Government has withdrawn the work that is public distribution functions and other distribution and marketing work from the respondent that and due to the transfer of this work the employees worked with the respondent became surplus. However, he denied that he became surplus employee. He was also put to the suggestion by the respondent in his cross-examination that he had abandoned the work at his own to which he replied in the negative. However, he denied that his services were not dis-engaged in an illegal manner.

11. To controvert the evidence of the petitioner, the respondent examined one Shri Rameshwar Singh, Manager of the respondent Society who appeared as RW1 and stated that the petitioner alongwith some other employees who were working with the respondent filed an OA before the State Administrative Tribunal in the same case. He also stated that in the year 2000 the

State Government has withdrawn the P. D. S. and fertilisers distribution work as a policy decision from the respondent society, and the respondent society was directed not to sell these articles through the society and therefore, the respondent society left with no source of other work and therefore, the employees of the society became surplus and the Board of Directors of the respondent Society left with no chance except to dis-engage the petitioner. He also stated that the applicant Ramesh Chand was earlier engaged as a Chowkidar on daily rated purely on temporary basis.

12. In his cross-examination, he admitted that the applicant worked as Chowkidar *w.e.f.* 1998 till 31-10-2000 as daily wager with the respondent society. Though he tried to clarify that the petitioner worked as workman and according to him workman means a person who works. He also admitted that the applicant worked for more than 240 days in each calendar year with the respondent society and no reasons has been as to why the applicant's services were dis-engaged. He also replied in the negative that the respondent has not employed junior persons to the petitioner after his dis-engagement. He admitted that Shri Bir Bahadur is still working with the respondent as Part Time worker, who is junior to the petitioner. He also admitted that no notice under section 25-F of the Act was ever issued to the applicant. However, he denied that the petitioner was not illegally dis-engaged.

13. The stand taken by the petitioner, as is emerging from the evidence of the parties as referred to hereinabove, is that the petitioner who was working as Chowkidar with the respondent society and worked as such from 1998 till 31-10-2000, his services were dis-engaged by the respondent in violation of the mandatory requirements of Section 25-F of the Act and that after the removal/dis-engagement of the petitioner his juniors were engaged and they are still working. These facts are not disputed in the cross-examination by Shri Rameshwar Singh, RW1, the only witness examined by the respondent to controvert the claim of the petitioner.

14. Whereas the claim of the respondent, as is emerging from the stand taken by the respondent in reply and also the facts stated in the examination in chief and the facts admitted in his cross-examination, it appears that the respondent is not denying the fact that the services of the petitioner were dis-engaged without any notice etc. as required under section 25 F of the Act, rather the services of the petitioner were dis-engaged for the reason that the State Government as policy decision has withdrawn the P. D. S. and fertiliser work from the respondent society and as such, the respondent society left with no work to engage the petitioner and other employees and therefore, the services of the petitioner were dis-engaged.

15. Shri Rameshwar Singh, RW1, has taken another stand while appearing as RW1 on behalf of the respondent that in fact the services of the petitioner were not dis-engaged, rather the petitioner left the job at his own as in the cross examination of the petitioner, he was put to the suggestion that he himself abandoned the work at his own to which he has replied in the negative.

16. From the evidence of the parties, there remains no doubt that the petitioner remained working with the respondent and discharged duties of a Chowkidar from 1998 till the date of his dis-engagement *i. e.* 31-10-2000 and a Chowkidar is a workman within the meaning of section 2 (s) of the Act. As per the statement of the petitioner and the facts admitted by Shri Rameshwar Singh, Manager, RW1, of the respondent society that the services of the petitioner were not dispensed with after following the procedure as laid down under section 25-F of the Act.

17. It has been stated by the petitioner while appearing as PW1 that he worked for more than 240 days in each calendar year of his service and this fact is not disputed in his cross-examination by the respondent. Rather Shri Rameshwar Singh, RW1, has admitted this fact

in his cross-examination and therefore, the petitioner is held to have continuous service on his credit as per the provisions of section 25-B of the Act and automatically being a workman the petitioner is entitled for all the protection as provided under section 25-F of the Act, which reads as under :-

"25-F.—Conditions precedent to retrenchment of workmen :—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until :—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice ;
- (b) the workman has been paid at the time of retrenchment compensation which shall be equivalent to fifteen day's average pay (for every completed year of continuous service) or any part thereof in excess of six-month's and
- (c) notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate government by notification in the official Gazette)".

18. The conditions enumerated in section 25-F are the conditions precedent and the provisions of the section 25-F are couched in mandatory form and non-compliance therewith has a result of rendering the order of retrenchment void, *ab-initio* or nonest [State of Rajasthan Vs. Miss Usha Lokwani, 1994 LLR 369 (Raj)]. In case titled "Auro Engg. Pvt. Ltd. V. R. A. Gadekar", 1992 (1) LLJ 693, Mr. Justice B. N. Srikrishna, has explained the consequences of non-compliance of section 25-F of the Act, as under :-

"It is settled law that Section 25 F of the Act was introduced into the statute book by parliament as a measure of amelioration. The section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source livelihood. Considering the constraining and the economy of the country as a whole and that of the Industrial units, Parliament has limited this amelioration to what is specifically provided in clauses (a) and (b) of section 25-F. *Viz.* payment of one month's wages in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of section 25-F. the section imposes a mandatory duty on the employer which is a condition precedent to retrenchment of workmen. Consequently, contravention thereof, however slight vitiates the act of retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders it void *ab-initio*."

19. And therefore, the termination of the petitioner by the respondent for the reason that the respondent was left with no work due to the change of policy decision by the state Government, has to know the consequences for the reason that before dis-engaging the petitioner the respondent was required to follow the mandatory procedure laid down under section 25 F (a), (b) and (c) of the Act. Apparently, from the facts, circumstances and the evidence of the parties, as has been discussed hereinabove, the respondent while dis-engaging the services of the petitioner from his service as a Chowkidar of the respondent society, has followed the mandatory provisions laid down under section 25-F (a), (b) and (c) of the Act and therefore, the termination of the petitioner is improper, unjustified and illegal.

20. Consequently, it is claimed by the petitioner, while appearing as PW1 that though his services were dis-

engaged by the respondent, but his juniors were retained in service in violation of the mandatory requirements of section 25-G of the Act.

21. Shri Rameshwar Singh, Manager of the respondent society while appearing as RWI has admitted in his cross-examination that the respondent had employed junior to the applicant after his dis-engagement and Shri Bir Bahadur is still working with the respondent society. He also admitted that Shri Bir Bahadur is junior to the petitioner.

22. In view of the facts as referred to hereinabove, admitted by Shri Rameshwar Singh, RWI, in his cross-examination, the dis-engagement of the petitioner also appears to be in violation of the principle of last come first go, enunciated under section 25-G of the Act. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another", 2001 L.R. 312, that in case the services of the workmen is terminated in violation of the mandatory requirements of section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his termination. In the present case the observations made by the Hon'ble Supreme Court is as under :—

"When an employee had put in service for more than 240 days in each calendar year for several years whether his services can be put to an end to without following the procedure prescribed under section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court would have interfered with the award made by the Labour Court. The Labour Court therefore rightly granted re-instatement with back wages and other consequential benefits."

23. In the present case the petitioner while appearing a PWI has specifically stated that after his dis-engagement he is unemployed and that he has no work in Government or private sector in any gainful employment. Whereas, the respondent had led to evidence on the record that the petitioner remains in any gainful employment after his dis-engagement. The respondent has also led no evidence on the record to show that the petitioner was at fault on account of any reason resulted in his dis-engagement and keeping in view the entire facts, circumstances and evidence on the record, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal, improper and unjustified dis-engagement and therefore, he is also entitled for all consequential service benefits including back wages to the extent of 50%.

24. From the evidence of the respondent and also from the cross-examination of the petitioner nothing has come on the record to show that the petitioner was at fault due to any reason for his dis-engagement and therefore, in the peculiar facts and circumstances of the present case, the petitioner is held to be entitled for lump sum amount of Rs. 2,600/- as litigation expenses. Accordingly, both the issues are decided in favour of the petitioner and against the respondent.

#### RELIEF

25. In view of my findings on above issues, since the termination of the petitioner is illegal and unsustainable and therefore, the petitioner is held to be entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner is also entitled for all consequential service benefits including back wages to the extent of 50%. The petitioner shall also be entitled for a lump sum amount of Rs. 2000/- as litigation expenses. The respondent is directed to re-engage the

petitioner within a period of 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

26. Let a copy of this award be sent to the appropriate Government for publication in the official gazette. The file after completion be consigned to the record room.

Announced  
6-6-2005.

Seal.

GEORGE,  
Presiding Judge,  
Labour Court-cum-Industrial Tribunal,  
Dharamshala.

Certified copy of the award dated 11-5-2005 passed by Hon'ble Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala, Camp at Sarkaghat.

Reference No. : 44/2001 (RBT No 29/04)

Instituted on : 9-4-2001

Decided on : 11-5-2005

Shri Joginder Pal son of Shri Milkhi Ram, resident of Village and Post Office Kamlah Fort, Tehsil Sarkaghat, District Mandi, H. P. ... Petitioner.

Versus

The Executive Engineer, H. P. S. E. B. Vidyut, Mandal, Dharampur, District Mandi H. P. ... Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For the petitioner : Shri Jagdish Thakur, Adv.

For the respondent : Shri Sarwan Kumar, Asst. Eng. AR.

#### AWARD

The following reference has been received from the appropriate Government for adjudication :—

"Whether the termination of the petitioner by the respondent as per standing orders of H.P.S.E.B. and juniors to the petitioner retained in service and the petitioner was not engaged as per section 25-H and 25-G, is valid and justified? If not to what service benefits the petitioner is entitled to?"

2. The petitioner filed his statement of claim whereby the petitioner alleged that he was engaged by the respondent on daily wages as Beldar in the month of February, 1998 and he remained as such till 20-4-1998 without any break. But the services of the petitioner were terminated by the respondent in the month of April, 1998 without any notice. The services of the petitioner were terminated by the respondent alongwith some persons namely S/Shri Kashmir Singh, Ajit Singh, Dharam Singh and Dharam Pal. The petitioner further alleged that he was again engaged by the respondent in the month of January, 1999 under the H. P. S. E. B. Sub-Division, Dharampur and remained as such till March, 1999 and thereafter all of a sudden the services of the petitioner were terminated by the respondent without complying with the provisions of Rule 14 (2) of the certified standing orders issued by the respondent Board. Despite the fact that as per the aforesaid rules, 10 days notice is necessary for the termination of any workman who has not completed 240 days in a calendar year. The similarly situated person whose services were terminated alongwith the petitioner were re-engaged by the respondent as per the directions of the Hon'ble State Administrative Tribunal. The petitioner further alleged that the respondent engaged the petitioner on perennial nature of work and the same stands available with the respondent. The respondent re-engaged some juniors to the petitioner

and they are still working with the respondent. The petitioner has prayed for setting aside the termination order and seeks directions from the court to re-engage him with all consequential benefits including back wages and seniority etc.

3. On notice the respondent appeared and they contested the claim of the petitioner and filed reply to the statement of claim filed by the petitioner wherein the respondent admitted that the petitioner was engaged as Beldar on daily waged basis for a specific period. The respondent alleged that the services of the petitioner were not terminated by the respondent in the month of April, 1998, as the petitioner has worked under H. P. S. E. B. Sub-Division Sandhol only upto 20th February 1998 and the petitioner was engaged on a specific work and on its completion the petitioner could not be engaged further. The respondent denied that the person juniors to the petitioner were retained in service. The respondent admitted that the similar situated persons were engaged by the respondent as per the directions of the Hon'ble Administrative Tribunal. The respondent prayed for dismissal of the petitioner.

4. The petitioner filed rejoinder, wherein he reaffirmed and reiterated the averments made in the petition and denied the assertions of the respondent made in the reply.

5. On the respective assertions of the parties, the following issues were framed on 16-7-2002:—

1. Whether termination of services of the petitioner without notice is in violation of the principle of last come first go and thus violative of the certified standing orders and section 25-H and 25-G of the Industrial Disputes Act, 1947 and same is thus illegal? OPP.
2. In case issue No. 1 is proved in the affirmative, whether the petitioner is entitled to compensation and consequential benefits? OPP.
3. Relief.

6. For the reasons to be recorded hereinafter my findings on the aforesaid issues are as under :—

Issue No. 1	..
Issue No. 2	.. Yes
Relief	.. The petition is allowed as per operative part of the award.

#### REASONS FOR FINDINGS

Issue No. 1 And 2 :

7. Both the issues are inter-connected and hence taken together for discussions and findings.

8. The petitioner has claimed that he was engaged as daily wager by the respondent in the month of February, 1998 and he worked as such till 20-4-1998. Thereafter, he was disengaged by the respondent alongwith S/Shri Kashmir Singh, Ajit Singh, Dharam Singh and Dharam Pal. He was re-engaged in January, 1999 and he worked there till March, 1999 and thereafter, all of sudden his services were terminated in violation of provisions of Rule 14 (2) of the certified standing orders framed under the provisions of the Industrial Employment (Standing Orders) Act, 1946, without serving any notice as required under Rule 14 (2) of the said standing orders. He also claimed that the other persons who were disengaged alongwith him approached the administrative Tribunal and thereafter, they were re-instated. The respondent re-engaged some of the juniors to the petitioners.

9. Whereas, the claim of the respondent is that the petitioner was engaged on daily wages basis for a specific period and the petitioner has worked under

H. P. S. E. B. Sub-Division, Sandhol only upto 20-2-1998 and the petitioner was engaged on a specific work and on its completion the petitioner could not be engaged further.

9. The petitioner Joginder Pal appeared as PW1 and he stated on oath that he was employed as daily wage beldar in H. P. S. E. B. Sub-Division Dharampur/Section at Sandhol on 2-1-1998. He was not issued any employment letter, S/Shri Kashmir Singh, Ajit Singh, Sohan Singh, Dharam Pal etc. were also working with him. Dharam Pal was junior to him who is still working with the respondent. He was retrenched on 4-8-1998 without any notice and payment of retrenchment compensation. He worked for 108 days during the period 2-1-1998 to 4-8-1998. He was also given some fictional breaks during this period. The other persons who were working with him were also retrenched, but later on re-instated as per the orders of the Administrative Tribunal. The work against which he was employed is still continuing.

10. In his cross-examination, he admitted that he worked as per the details given in Ex. R/A and Ex. R/B during the period 2-1-1998 to 4-8-1998. However, he denied that he was engaged against specific work and on completion of which his services were no longer required by the Board, rather he volunteered at his own that he was performing the maintenance duties. He also denied that Dharam Pal was not junior to him.

11. To controvert the statement of the petitioner, the respondent Board examined Shri Suresh Kumar Thakur, Senior Executive Engineer, H. P. S. E. B., Dharampur, as RW1, who has stated that the petitioner was engaged for specific work at Sandhol and Dharampur. Since the specific work completed and the petitioner was disengaged as no work left for his re-engagement. He also brought on the record Muster roll Ex. RW1/A to Ex. RW1/F.

12. In his cross-examination, he admitted that at the time the petitioner was engaged no letter of appointment was issued to the petitioner by the respondent to make his appointment for specific work. He admitted that he was not posted at the relevant time at Dharampur and Sandhol, as he joined at Dharampur as Executive Engineer on 11-2-2002. He did not employ the petitioner as daily wage worker. He also showed ignorance as to when the work of 11 KV H. T. Line started and when it was completed. Though he tried to establish that the petitioner was engaged for the specific work of 11 K.V. H. T. Line. He also admitted that the Board has framed the certified standing orders and at the time the services of the petitioner were disengaged, the petitioner was not served with the notice as per the clause 14 (2) of the Certified Standing Orders nor any compensation was paid to him. He had also shown his ignorance that as to when Dharam Singh, Sohan Singh joined the board and also whether they are junior to the petitioner or not. He also admitted that after 21-7-1998 no Muster roll was issued for engaging the petitioner for any work. He himself stated that no work was left with the Board.

13. Shri Jagdish Thakur, Adv. has argued that the services of the petitioner were terminated by the respondent in violation of Rule 14 (2) of the Standing Orders framed by the respondents under the provisions of Industrial Employment (Standing Orders) Act, 1946, without serving any notice and payment of retrenchment compensation, as the services of the casual/daily wage worker in H. P. S. E. B. are governed by the standing orders as referred to herein above, and in case where a workman has not completed 240 working days, in that event the services of the workman are required to be dispensed with or terminated as per Rule 14 (2) of the said Standing Orders.

14. Shri Suresh Kumar Thakur, Sr. Executive Engineer, who appeared as RW1, on behalf of the respondent has admitted that the Board has the Standing Orders and at the time the petitioner was disengaged, he



was not served with any notice nor paid any retrenchment compensation as per the requirements of Sub-Rule 2 of Rule 14 of the Standing Orders. Since the respondent has not denied that the services of the daily wage worker is governed as per the Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946, and it is also admitted that at the time the services of the petitioner were dispensed with, he was not served with any notice nor paid any retrenchment compensation as per the requirements of Sub-Rule 2 of Rule 14 of the Standing Orders. The retrenchment of the petitioner thus appears to be violative of Standing Orders which is a legal force as it has been framed under the provisions of Industrial Employment (Standing Orders) Act, 1946, violation of which definitely makes the dis-engagement/termination as illegal and un-justified. Rule 14 of the Standing Orders reads as under :—

**“Termination of employment :**

- (i) No workman who has been in the continuous service of the H. P. S. E. B. for not less than one year as defined in the Industrial Disputes Act, 1947, shall be retrenched until he has been given one month's notice in writing indicating the reasons for such retrenchment and the period of notice has expired or he has been paid in lieu of such notice, wages for the period of notice or for such period as the notice falls short or one month. And further in this behalf principle of first come last go will be observed. Retrenchment compensation will be payable according to the provisions of the Industrial Disputes Act, 1947.

**Explanation.**—For the purpose of this clause retrenchment means termination by the H. P. S. E. B. of the services of workman for any reason whatsoever otherwise than as a punishment, inflicted by way of disciplinary action but does not includes :—

- (a) Voluntary retirement of the workman, or
- (b) Retirement of the workman on reaching the age of superannuation which shall ordinarily be 58 years but it can be extended up to 60 years with the sole discretion of management, or
- (c) Termination of service of 'workman' on grounds of continued ill health, or
- (d) Termination by way of punishment inflicted pursuant to disciplinary action.

- (ii) In those cases which are not covered by sub clause (i) services of a worker with less than one year's service are terminable by giving ten days notice in writing or pay and allowances in lieu of such notice, even without assigning any reason by either side, by the party, issuing the notice to the party on whom the notice is served. In case of shorter notice an amount equal to the pay and allowance for the period for which notice falls short of the required period shall be payable by party, serving the notice, to the other party. In case of workman with more than one year service, 30 days notice will be required. However, no notice is required to be served on a workman for terminating his employment where :—

- (a) A workman is engaged for a specified period not exceeding one year's continuous employment on one or more spells and in one or more trade,
- (b) An adverse report is received on his character and antecedents from the police or civil authorities,
- (c) He attains the age of superannuation,
- (d) He is convicted on a criminal charge by a court of law.

- (e) It is not expedient in the interest of the security the State to retain him in service.
- (f) He is declared medically unfit or he fails to appear before the appropriate medical authority (Appointed for the purpose by the employer) for medical examination, when called upon to do by any person authorised in this behalf.
- (g) He is dismissed (removed or discharged from the service as a measure of punishment.
- (i) The Executive Engineer shall maintain a waiting list of all temporary workmen whose services have been terminated on account of the completion of the work for which they were appointed or on account of the expiry of the period for which they were employed containing the following particulars, namely :—

- (i) Their names and address;
- (ii) The nature of work of occupation in which they were employed;
- (iii) The wages paid to them during employment; and
- (iv) The dates of termination of their services.

2. Whenever any vacancy in the Establishment is required to be filled, the persons, the persons included in the waiting list maintained under sub-clause (i) (a) shall be given preference after taking into consideration the nature of work done by them while in employment or the occupation in which they were employed and on the basis of the aggregate of their services in the Establishment prior to the termination of their services.

No person whose name is not entered in the waiting list shall be appointed in the Establishment unless all persons included in that list have been provided with employment in the Establishment.

- (h) He is appointed in a regular post
- (i) He absents himself or does not resume duty on the expiry of his leave.
- (j) He is an apprentices.

3. If a workman who has been served with a notice of termination by the H. P. S. E. B. wants to leave the job before the expiry of such notice he may be permitted to do so without being called upon to give any notice or wages in lieu of notice.

4. Every workman shall be entitled to a service certificate at the time of his discharge or leaving service and same shall be given to him on demand. Such certificate shall not be issued to a workman, unless he makes good recoveries outstanding against him (including wages in lieu of notice required to be served by him with reference to clause 14 (1) .

**Explanation.**—(i) If a workman loses his lien on his appointment under sub-clause (1) of clause 12 considered to have resigned under sub-clause 2 of clause-14 an amount not exceeding (14) fourteen days wages (if lying at the credit of the workman) in lieu of notice which he was required to serve as laid down in clause 14 (2) shall be forfeited to the H. P. S. E. B.

- (ii) If services of a workman stand terminated on the expiry of specified term of appointment, he shall not be deemed to be retrenched under section 2 (00) of the Industrial Disputes Act, 1947”.

15. The bare perusal of sub-clause (2) of clause 14 of the Standing Orders as referred to herein above, reveals in those cases which are covered by sub clause (1) the services of workman with less than one year service are terminable by giving ten days notice in writing and pay

and allowances in lieu of such notice and in case of workman with more than one year service, 30 days notice will be required. No doubt that no notice is required to be served on a workman for terminating his employment where a workman is engaged for a specific period not exceeding one year's continuous employment on one or more spells in one or more trade.

16. In the present case, the claim of the respondent is that the petitioner was engaged for a specific period and on the expiry of the said period his services were terminated automatically and he was not required to be served with any notice under sub-clause 2 of Clause 14 of the Standing Orders.

17. The stand taken by the respondent is not supportable from any evidence from the record. The statement of Shri Suresh Kumar Thakur, RW1, is of no help to the respondent to prove this aspect of the case for the reason that he joined as Executive Engineer at Dharampur on 11-2-2002 and he admitted in his cross-examination that the petitioner was not engaged on daily wages by him and he has no knowledge as to when the work of 11 K.V. H. T. Line started and when it was completed. Though he tried to state that the petitioner was engaged for specific work on 11 K. V. H. T. Line, since the respondent has failed to examine any witness as to at what point of time the work of 11 K. V. H. T. line was completed and who engaged the petitioner for this specific work after giving due notice to the petitioner of the same. There appears to be on evidence on the record to support this aspect of the defence taken by the respondent.

18. The respondent has led no evidence to prove that the petitioner was in fact engaged for the specific work i.e. 11 K. V. H. T. Line and also for specific period. In the absence of any evidence to prove this aspect of the case the respondent was legally bound to dis-engage the services of the petitioner in the manner provided under the Standing Orders which is the legal force as the Standing Order have been framed by the respondent under the provisions of Industrial Employment (Standing Orders) Act, 1946. The dis-engagement of the petitioner is violative of sub-clause 2 of clause 14 of the Standing Orders and therefore, is illegal and unjustified.

19. The petitioner while appearing as PW1 has stated that after his dis-engagement he is looking after the family fields which means that the petitioner is not totally un-employed and that he is not earning anything. He has not even led any evidence to state that while looking after his family fields he is not in a position to earn sufficient or that due to his dis-engagement he has suffered any monetary loss and as such, having regard to the totality of the facts, circumstances and evidence as has been referred to hereinabove, the petitioner is entitled for his re-instatement, as his termination is violative of sub-clause (2) of Clause 14 of the Standing Orders. But the petitioner is not entitled for any service benefits, accordingly Issue No. 1 and 2 to this extent are decided in favour of the petitioner and against the respondent.

#### RELIEF

20. In view of my findings on above issues, the dis-engagement of the petitioner is held to be violative of sub-clause (2) of clause 14 of the Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946 and therefore, the petitioner is entitled for his re-instatement. But the petitioner shall not be entitled for any service benefits. The respondent is directed to re-engage the petitioner within 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full wages from the expiry of said period. The parties are left to bear their own costs. The reference is answered accordingly.

21. Let a copy of this Award be sent to the appropriate government for publication in the official gazette.

The file after completion be consigned to the record room.

Announced.

Seal.

GEORGE,  
Presiding Judge,  
Labour Court-cum-Industrial Tribunal,  
Dharamshala, Himachal Pradesh.

Certified Copy of Award dated 6-6-05 as passed by,  
Shri George, Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala, Himachal Pradesh

Reference No. : 72/2002 (RBT No. 113-04).  
Instituted on : 4-3-2002.  
Decided on : 6-6-2005.

Manoj Kumar s/o Shri Parkash Chand, V. P. O. Gugga  
Saloh, Tehsil Palampur, District Kangra, Himachal Pradesh  
.. Petitioner.

Vs.

Manager, The Tehsil Co-operative Marketing &  
Consumer Society Ltd., Maranda, Tehsil Palampur,  
District Kangra, Himachal Pradesh .. Respondent.

Reference under Section 10 of the Industrial Disputes  
Act, 1947

For the petitioner : Shri Vishal Sood, Adv.  
For the respondent : Shri Ajay Sharotri, Adv.

#### AWARD

The following reference has been received for adjudication from the appropriate government:—

“Whether the termination the services of workman Shri Manoj Kumar s/o Shri Parkash Chand by the Management of the Tehsil Palampur Co-operative Marketing & Consumer Society Ltd., Maranda, Palampur, District Kangra, Himachal Pradesh w. e. f. 1-11-2000 without complying with the section 25-F of the Industrial Disputes Act, 1947 is legal and justified? If not, what relief of service benefits the said workman is entitled to?”

2. On notice the petitioner Manoj Kumar filed his statement of claim wherein he pleaded that he is a labourer and covered under the Industrial Disputes Act, 1947 (hereinafter referred in short as the Act) and his termination is without any notice and the same is illegal and in violation to the principle of justice. The petitioner further pleaded that he has completed more than 240 working days and his termination after the continuous and completion of about 8 and half years of service is illegal. The petitioner averred that the respondent is yet managing the business and the employees and officer and even the junior persons are yet in the service as namely Shri Bir Singh was employed by the Management in July 1997 and he is yet in service. The petitioner prayed for his re-instatement with full back wages and seniority from the date of his illegal termination along with interest @18% per annum alongwith compensation of Rs. 10,000/- for harassment and cost of litigation.

3. The respondent filed reply to the petition filed by the petitioner wherein they pleaded that the respondent society has been registered under Himachal Pradesh Co-operative Society Act and function under the same Act. The petitioner was engaged on daily rated purely temporary basis vide resolution No. 8 dated 18-5-92 and the Act is not applicable on the respondent as the employees of the society are governed by the service rules and bye laws of the society. The respondent averred that prior to the dis-engagement of the petitioner the society was having different type of business about Rs. 25 lacs, but the State Government transferred the entire business to Himachal Pradesh Civil Supplies Corporation & HIMFED and the respondent society

have no business and it was difficult to retain its labour and thus the respondent was forced to dis-engage their labour. The respondent prayed for the dismissal of the claim petition.

4. The petitioner filed rejoinder to the reply filed by the respondent wherein he re-affirmed and re-iterated the pleadings made by him in his statement of claim and denied all other assertions made by the respondent in their reply.

5. On the respective assertions of the parties following issues were framed for decision on 11-8-2004:—

1. Whether the termination of services of petitioner by respondent w. e. f. 1-10-2000 without complying with the provisions of Section 25-F of the I. D. Act, 1947 is legal and justified? OPR.
  2. If issue No. 1 is not proved, to what relief of service benefits the petitioner is entitled to? OPP.
  3. Whether the provisions of I. D. Act, 1947 are not applicable, as alleged? OPR.
  4. Relief.
6. For the reasons to be recorded hereinafter my issue-wise findings are as under:—

Issue No. 1	No
Issue No. 2	As per operative part of Award
Issue No. 3	No
Relief	The petition is allowed as per operative part of the Award.

#### REASONS FOR FINDINGS

##### Issue No. 1 & 2 :

7. Both the issues are inter-connected and hence taken together for discussions and findings.

8. The petitioner Manoj Kumar appeared as PW1 and he stated that he joined the services of the respondent w. e. f. 18-5-1992 as daily wage Salesman and his services were regularised in the year 1993 as Salesman with the respondent. His services were dispensed with by the respondent vide letter Ex. PW1/A without assigning any reason. He completed more than 240 days in each calendar year. His services were terminated without compliance of mandatory requirements of law. The respondent have not served any notice as required under Section 25-F of the Act. Dis-engagement of the petitioner is arbitrary and illegal and as such he is entitled for his re-engagement from the date of his termination. He had not worked anywhere from the date of his dis-engagement in any gainful employment. The respondent has engaged some junior persons and they are still in service. The petitioner was dis-engaged in an illegal and arbitrary manner vide order Ex. PW1/A w. e. f. 31-10-2000 which is required to be declared as null and void.

9. In his cross-examination, he was put to the suggestion that the respondent is a registered society and have its own bye-laws, which he admitted as correct. He also admitted that he alongwith other workers filed a petition before the Administrative Tribunal which was later on dismissed as withdrawn. He was also put to the suggestion that he was engaged as daily wage on purely temporary basis to which he replied in the negative. He himself stated that he was engaged as salesman and his services were regularised. However, he had shown his ignorance that the State Government has withdrawn the work that is public distribution functions and other distribution and marketing work from the respondent that and due to the transfer of this work the employees worked with the respondent became surplus. However he denied that he also became surplus employee. He was also put to the suggestion by the respondent in his cross-examination

that he had abandoned the work at his own to which he replied in the negative. However he denied that his services were not dis-engaged in an illegal manner.

10. To controvert the evidence of the petitioner the respondent examined one Shri Rameshwar Singh, Manager of the respondent society who appeared as RW1 and stated that the petitioner alongwith some other employees who were working with the respondent filed on OA before the State Administrative Tribunal in the same case. He also stated that in the year 2000 the State Government has withdrawn the P. D. S. and fertilisers distribution work as a policy decision from the respondent society, and the respondent society was directed not to sell these articles through the society and therefore, the respondent society left with no source of other work and therefore, the employees of the society became surplus and the Board of Directors of the respondent society left with no course except to dis-engage the petitioner. He also stated that the applicant Manoj Kumar was earlier engaged as a Chowkidar on daily rated purely on temporary basis vide letter Ex. RW/4.

11. In his cross-examination, he admitted that the applicant worked as Salesman w. e. f. 1998 till 31-10-2000 as daily wage with the respondent society. Though he tried to clarify that the petitioner worked as workman and according to him workman means a person who works. He also admitted that the applicant worked for more than 240 days in each calendar year with the respondent society and no reasons has been as to why the applicant's services were dis-engaged. He also replied in the negative that the respondent has not employed persons to the petitioner after his dis-engagement. He admitted that Shri Bir Bahadur is still working with the respondent as Part time worker, who is junior to the petitioner. He also admitted that no notice under Section 25-F of the Act was ever issued to the applicant. However, he denied that the petitioner was not illegally dis-engaged.

12. The stand taken by the petitioner as is emerging from the evidence of the parties as recorded to herein above, is that the petitioner who was working as a Salesman with the respondent society and worked as such from 1998 till 31-10-2000, his services were dis-engaged by the respondent in violation of the mandatory requirement of Section 25-F of the Act and that after the removal/dis-engagement of the petitioner his juniors were engaged and they are still working. These facts are not disputed in the cross-examination by Shri Rameshwar Singh, RW1, the only witness examined by the respondent to controvert the claim of the petitioner.

13. Whereas the claim of the respondent as is emerging from the stand taken by the respondent in reply Para-3 and Para-4, which reads as under and also the facts stated in the examination in chief and the facts admitted in his cross-examination, it appears that the respondent is not denying the fact that the services of the petitioner were dis-engaged without any notice etc. as required under Section 25-F of the Act, rather the services of the petitioner were dis-engaged for the reason that the State government as a policy decision has withdrawn the P.D.S. and fertiliser work from the respondent society and as such the respondent society left with no work to engage the petitioner & other employees and therefore the services of the petitioner were dis-engaged:—

Para 3 : "That prior to the dis-engagement of the applicant the society was having different type of business about Rs. 25/- lacs, but the State Government transferred the entire business to Himachal Pradesh Civil Supplies Corporation and HMFED and the respondent society have no business and it was difficult for the society to retain its labour as detail reply has already submitted before the Labour Inspector, Palampur"

Para-4 : "That the respondent was forced to dis-engage their labour and the same have



been disengaged *vide* resolution No. 4, dated 25-10-2000".

14. Shri Rameshwar Singh, RWI, has taken another stand while appearing as RWI on behalf of the respondent that infact the services of the petitioner were not disengaged, rather the petitioner left the job at his own as in the cross-examination of the petitioner, he was put to the suggestion that he himself abandoned the work at his own to which he has replied in the negative.

15. From the evidence of the parties there remains no doubt that the petitioner remained working with the respondent and discharged duties of a salesman from 1998 till the date of his dis-engagement *i. e.* 31-10-2000 and a Salesman is a workman within the meaning of Section 2 (s) of the Act, as it has been held by the Hon'ble Delhi High Court in case titled "Management of Roneo Vickers India Ltd. V. Lt. Governor of Delhi", 1994 L. L. R. 253 (Delhi). As per the statement of the petitioner and the facts admitted by Shri Rameshwar Singh, Manager, RWI, of the respondent society that the services of the petitioner were not dispensed with after following the procedure as laid down under Section 25-F of the Act.

16. It has been stated by the petitioner while appearing as RWI that he worked for 240 days in each calendar year of his service and this fact is not disputed in his cross-examination by the respondent. Rather Shri Rameshwar Singh, RWI, has admitted this fact in his cross-examination and therefore, the petitioner is held to have continuous service on his credit as per the provisions of Section 25-B of the Act and automatically being a workman the petitioner is entitled for all the protections as provided under Section 25-F of the Act, which reads as under:—

"25-F : Conditions precedent to retrenchment of workmen:—

No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until:—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate government (or such authority as may be specified by the appropriate Government by notification in the official gazette)".

17. The conditions enumerated in Section 25-F are the conditions precedent and the provisions of section 25-F are couched in mandatory form and non-compliance therewith has a result of rendering the order of retrenchment void, *abinitio* or noneest (State of Rajasthan Vs. Miss Usha Lekhani, 1994 LLR 369 (Raj.). In case titled "Auro Engg. Pvt. Ltd. V. R. A. Gadekar", 1992 (1) L. L. J. 693 Mr. Justice B. N. Srikrishna, has explained the consequences of non-compliance of Section 25-F of the Act as under:—

"It is settled law that Section 25-F of the Act was introduced into the statute book by parliament as a measure of amelioration. The Section is specifically intended to soften the blow of unemployment which would fall upon a workman, who is suddenly deprived of his source livelihood. Considering the constraining on the economy of the country as a whole and that of the industrial units, Parliament has limited this amelioration to what is specifically provided

in Clauses (a) and (b) of section 25 F, viz. payment of one month's wages in lieu of notice and retrenchment compensation calculated in accordance with clause (b) of Section 25-F, the section imposes a mandatory duty on the employer which is a condition precedent to retrenchment of workmen. Consequently, contravention thereof, however, slight vitiates the act of retrenchment itself. When a statute mandates a duty as a condition precedent for affecting retrenchment, there is no difficulty in holding that breach of the said condition invalidates the retrenchment and renders, it void *abinitio*".

18. And therefore, the termination of the petitioner by the respondent for the reason that the respondent was left with no work due to the change of policy decision by the State Government, has to know the consequences for the reason that before dis-engaging the petitioner the respondent was required to follow the mandatory procedure laid down under Section 25-F (a), (b) and (c) of the Act. Apparently, from the facts, circumstances and the evidence of the parties, as has been discussed herein above, the respondent while dis-engaging the services of the petitioner from his service as a Salesman of the respondent society, has not followed the mandatory provisions laid down under Section 25-F (a), (b) and (c) of the Act and therefore, the termination of the petitioner is improper, unjustified and illegal.

19. Consequently, it is claimed by the petitioner while appearing as RWI that though his services were disengaged by the respondent, but his juniors were retained in service in violation of the mandatory requirements of section 25-G of the Act.

20. Shri Rameshwar Singh, Manager of the respondent society while appearing as RWI has admitted in his cross-examination that the respondent has employed juniors to the applicant after his dis-engagement and Shri Bir Bahadur is still working with the respondent society. He also admitted that Shri Bir Bahadur is junior to the petitioner.

21. In view of the facts as referred to herein above, admitted by Shri Rameshwar Singh, RWI, in his cross-examination, the dis-engagement of the petitioner also appears to be in violation of the principle of last come first go, enunciated under Section 25-G of the Act. It has been held by the Hon'ble Supreme Court in case titled "Deep Chandra Vs. State of Uttar Pradesh and Another", 2001 L L R 312, that in case the services of the workman is terminated in violation of the mandatory requirements of Section 25-F of the Act, the workman is entitled for his re-instatement on the same terms and conditions in which he was working prior to his termination. In the present case the observations made by the Hon'ble Supreme Court is as under:—

"When an employee had put in service for more than 240 days in each calendar year for several years whether his services can be put to an end to without following the procedure prescribed under Section 25-F of the Industrial Disputes Act. If there has been violation thereof such an employee will have to be re-instated in his original service on the same terms and conditions in which he was working earlier. If this is the position of law, we fail to understand as to how the High Court would have interfered with the award made by the labour Court. The Labour Court therefore, rightly granted re-instatement with back wages and other consequential benefits".

22. In the present case the petitioner while appearing as PWI has specifically stated that after his dis-engagement he is un-employed and that he has no work in government or private sector in any gainful employment. Whereas, the respondent had led no evidence on the record that the petitioner remained in any gainful employment after his dis-engagement. The respondent has also led

no evidence on the record to show that the petitioner was at fault on account of any reason resulted in his dis-engagement and keeping in view the entire facts circumstances and evidence on the record, the petitioner is not only entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal, improper and unjustified dis-engagement and therefore, he is also entitled for all consequential service benefits including back wages to the extent of 50%.

23. From the evidence of the respondent and also from the cross-examination of the petitioner nothing has come on the record to show that the petitioner was at fault due to any reason for his dis-engagement and therefore, in the peculiar facts and circumstances of the present case, the petitioner is held to be entitled for lump sum amount of Rs. 2000/- as litigation expenses. Accordingly, both the issues are decided in favour of the petitioner and against the respondent.

#### Issue No. 3 :

24. It has been argued on behalf of the respondent side that the provisions of I. D. Act are not applicable in the present case as the petitioner does not fall within the meaning of workman. This aspect of the case has already been dealt by me as referred to herein above and it is settled position of law that a Salesman is a workman within the definition of workman as per section 2 (s) of the Act and has been settled in case titled Management of Roneo Vickers India Ltd. V. Lt. Governor of Delhi". 1294 L. I. R 253 (Delhi) and accordingly, the contention raised on behalf of the respondent that I. D. Act is not applicable in the facts and circumstances of the present case is un-sustainable. Accordingly, this issue is also decided in favour of the petitioner and against the respondent.

#### RELIEF

25. In view of my findings on above issues, since the termination of the petitioner is illegal and un-sustainable and therefore, the petitioner is held to be entitled for his re-instatement on the same terms and conditions in which he was working prior to his illegal termination. The petitioner is also entitled for all consequential service benefits including back wages to the extent of 50%. The petitioner shall also be entitled for a lumpsum amount of Rs. 2000/- as litigation expenses. The respondent is directed to re-engage the petitioner within a period of 90 days from the date of announcement of this award failing which the petitioner shall be entitled for full wages. The reference is answered accordingly.

26. Let a copy of this award be sent to the appropriate government for publication in the official gazette. The file after completion be consigned to the record room.

Announced.  
6-6-2005  
Seal.

GEORGE,  
Presiding Judge,  
Labour Court-cum-Industrial Tribunal,  
Dharamshala, Himachal Pradesh.

Certified Copy of Award dated 1-6-05 Passed by  
Shri George Presiding Judge, Labour Court-cum-Industrial Tribunal, Dharamshala Himachal Pradesh

Reference No. 385/2002 (RBT No. 394/04).  
Instituted on 16-12-2002.  
Decided on 1-6-2005.

Shri Mohan Singh son of Shri Manu Ram, r/o Village Jimjma, P. O. Dul, Tehsil Jogindernagar, District Mandi, Himachal Pradesh.  
.. Petitioner/workman

V:

The Executive Engineer, H. P. S. E. B., Electrical Division, Jogindernagar, District Mandi, Himachal Pradesh.  
.. Respondent/Management.

"Reference under Section 10 of the Industrial Disputes Act, 1947".

For the petitioner Shri N. L. Koundal, A. R.  
For the respondent Shri J. S. Chauhan, Adv.

#### AWARD

The following reference has been received from the appropriate government for adjudication.

"क्या मोहन सिंह दैनिक बेतन बेलदार को अधिकासी आययता, हि० प्र० राज्य बिद्युत बोर्ड मण्डल, जोगिन्दरनगर द्वारा बिना किसी कारण और्ध्वगत विवाद अधिनियम 1947 की धारा 25 जी व 25-एच की अनुपालना किए बिना नौकरी से बिनाक 21-10-1999 को निकाला जाना बंध है या अवैध ? यदि नहीं तो कामगार बिना राहत एवं क्षतिपूर्ति का हकदार है ?"

2. The petitioner filed statement of claim, averring that he was engaged as daily waged Beldar on muster-rolls w. e. f. 25-2-1999 and he remained as such till 20-10-1999. Thereafter the services of the petitioner were dispensed with by the respondent vide verbal order and without any notice, chargesheet, enquiry or sort of compensation under clause 14 (2) of the Certified Standing Order of the H. P. S. E. B. framed for its employees. The petitioner approached the respondent time and again for his re-employment but the respondent gave no response. Thereafter the petitioner raised demand notice to the respondent on 6-12-2011 under the Industrial Disputes Act. The petitioner further alleged that the respondent engaged him on muster rolls and he had worked upto 20-10-1999 and during this period the respondent engaged and dis-engaged the petitioner without any reason, as such the petition covered under the definition of continuous service within the meaning of section 25-B (I) of the Industrial Disputes Act, 1947. The service of the petitioner dis-engaged and the persons juniors to the petitioner were retained in service and therefore, the respondent has violated the provisions of section 25-G and H. of the Act, 1947. The petitioner has prayed for his reinstatement with full back wages including continuity of services.

3. The respondent resisted and contested the claim of the petitioner by filing reply, wherein the respondent raised preliminary objection stating that the petition is not maintainable, the petition is barred by limitation, the petition is bad for mis-joinder and non-joinder of necessary parties. On merits, the respondent admitted to the extent that the petitioner was initially engaged as Beldar on daily wages basis w. e. f. 25-2-1999 and remained depolyed as such upto 20-10-1999 with certain interruption and wilful absence of the petitioner. The averments that the respondent has given artificial breaks for 305 days between the period from 25-2-99 to 20-10-99 is wrong, as the petitioner remained wilful absent from the duties. The respondent averred that the respondent has not dispensed with the services of the petitioner, rather the petitioner left the job on his own. The respondent admitted that the petitioner served a notice for re-engagement in service but owing to non-availability of works and funds with the respondent, his request was not acceded to. The respondent stated that the work men namely Man Singh Prithi Chand, Seffi Mohammad and Durga Dass retained in service as they did not leave the job. The respondent alleged that the respondent has not breached any clause of Standing Orders framed by the H. P. S. E. B. The respondent has prayed for dismissal of the petition with costs.

4. The petitioner filed rejoinder wherein the petitioner reinstated and re-affirmed the averments made in the petition and denied the allegations of the respondent made in the reply.

5. On the respective assertions of the parties, the following issues were framed on 16-1-2004 :

1. Whether the termination of services of the petitioner by the respondent w.e.f. 21-10-99 is

violative of the provisions of I. D. Act, 1947, and certified Standing Orders framed by State Electricity Board ? OPR.

2. Whether the petition is not maintainable ? OPR.

3. Whether the petition is not barred by time ? OPR.

4. Whether the petitioner is estopped from filing the petition due to his act and conduct ? OPR.

5. Relief.

5. For the reasons to be recorded hereinafter my findings issuewise are as under:—

Issue No. 1 .. Yes.

Issue No. 2 .. No.

Issue No. 3 .. No.

Issue No. 4 .. No.

Relief The petition is allowed as per operative of the award.

### REASONS FOR FINDINGS

Issue No. 1 :

6. The petitioner Mohan Singh, appeared as PW1 and he stated that he was engaged as B-Idar by the respondent w. e. f. 25-2-1999 and he worked as such till 20-10-1999 and his services were dispensed with by the respondent by verbal order dated 21-10-1999 without any notice, charge sheet, and payment of compensation. After his services were dispensed with by the respondent, the respondent has retained number of junior persons to the petitioner namely Saffi/Mohad, Prithi Chand, and Gian Chand etc. He also stated that some new persons were also employed by the respondent namely; Om Parkash, Raj Kumar, Sanjay Kumar and Birbal. He also stated that he approached the concerned J. E. for his re-employment and he was told that as and when the work will be available he will be called for duty but he was not called. He did not abandon the job at his own. In his cross-examination he was put to a suggestion that he was not retrenched by the respondent, rather he himself abandoned the job on 20-10-1999, when he replied in the negative. He also denied that he left the job as he got another job with better emoluments.

7. To controvert the statement made by the petitioner respondent examined Shri V. S. Thakur, Asstt. Engineer, H. P. S. E. B., Sub division, Sundernagar, Mandi, as RW1, who has stated that the petitioner was engaged as daily waged by the respondent on 25-2-99 and he worked as such till 20-10-99 with certain breaks. He was not dis-engaged, rather he himself left the job at his own. We also Stated that the petitioner was not given any artificial breaks and no junior persons to the petitioner were employed. However, in his cross-examination, he admitted that neither the petitioner was employed on work by him nor dispensed with his services by him. He has made statement as per the record. He also admitted that the Board has certified Standing Orders, which is applicable to the employees of H. P. S. E. B. He also admitted in his cross-examination that no terms and conditions were settled and no appointment letter was issued to the petitioner at the time of his engagement. He admitted that the case is between the petitioner and the Executive Engineer, and he is not a party to the case. He further admitted that the name of the persons mentioned in the seniority list at Sl. No. 112 to 122 date of their joining has been shown against their names. He also admitted that muster roll vide which the petitioner was dis-engaged is not brought in evidence by the respondent.

8. The claim of the petitioner is that he worked from 25-2-1999 to 20-10-1999 and his services were dispensed with by the respondent by verbal order dated 21-10-99 without any notice, charge sheet and payment of

compensation. After his dis-engagement he continued to meet the Junior Engineer for his re-employment but the concerned J. E. told that he will be re-engaged as and when the work will be available, but he was not engaged.

9. The claim of the respondent is that the petitioner worked from 25-2-1999 to 20-10-1999 with breaks and he was not dis-engaged by the respondent but he voluntarily abandoned the job on 20-10-1999 and did not turn up for duty as he got another job with better emoluments.

10. It is admitted fact that the petitioner worked with the respondent as daily waged beldar w. e. f. 25-2-99 to 20-10-1999. The only point of dispute is that whether the petitioner was dis-engaged w. e. f. 21-10-1999 by the respondent or he voluntarily left the job at his own as he got a better job with better emoluments.

11. The petitioner while appearing as PW1 has stated that he was dis-engaged w. e. f. 21-10-99 without any notice, charge sheet, and payment of compensation and he continued to approach the concerned J. E. who told him that he will be re-engaged as and when the work will be available but of no avail. The respondent has not examined any witness who was in charge of the petitioner at the relevant time i.e. During the year 1999 to prove that in fact, the petitioner was not dis-engaged and he himself voluntarily abandoned the job. Shri V. S. Thakur, (RW1) has admitted in his cross-examination that neither he kept the petitioner on work nor he dis-engaged him. He has made the statement on the basis of record. However, no such record has been brought in evidence on behalf of the respondent. The mandys chart Ex. RW1/C is brought on the record by the respondent which supports the version of the petitioner. PW1 has admitted that the respondent has certified standing orders applicable to the employees of the H. P. S. E. B., according to clause 14 of the certified standing orders framed under the provisions of the Industrial Employment standing orders Act, 1946 deals with termination of employee/ workman and sub-clause (2) of clause 14 of the said Standing Order, reads as under:—

14.2 In these cases which are not covered by sub-clause (i) services of a worker with less than one year's service are terminable by giving ten days notice in writing or pay and allowances in lieu of such notices, even without assigning any reason by either side by the party issuing the notice to the party on whom the notices to the party on whom the served. In case of shorter notice an amount equal to the pay and allowances for the period for which notice falls short of the required period shall be payable by part, serving the notice to the other party. In case no notice is required to be served on a workmen with more than one years service, 30 days notice will be required. However, no notice is required to be served upon a workman for terminating his employment where :

- A workman is engaged for a specified period not exceeding one year's continuous employment on one or more spells and in one or more trade.
- An adverse report is received on his character and antecedents from the police or civil authorities.
- He attains the age of superannuation.
- He is convicted on a criminal charge, by a court of law.
- It is not expedient in the interest of the security of the state to retain him in service.
- He is declared medically unfit or he fails to appear before the appropriate medical authority (appointed for the purpose by the employer) for medical examination, when called upon to do by any person authorised in this behalf.

(e) He is dismissed, removed or discharged from the service as a measure of punishment, service have been terminated on account of the completion of work for which they were appointed or on account of completion of the work for which they were appointed or on account of the expiry of the period for which they were employed containing the following particulars, namely:

- (i) Their names and addresses,
- (ii) The nature of work or occupation in which they were employed,
- (iii) the wages paid to them during employment; and
- (iv) the dates of termination of their services.

(2) Whenever, any vacancy in the Establishment is required to be filled, the persons, the persons included in the waiting list maintained under sub-clause (i) (a) shall be given preference after taking into consideration the nature of work done by them while in employment or the occupation in which they were employed and on the basis of the aggregate of their services in the Establishment prior to the termination of their services. No person whose name is not entered in the waiting list shall be appointed in the Establishment unless all persons included in that list have been provided with employment in the Establishment.

(h) He is appointed in a regular post.

(i) He absents himself or does not resume duty on the expiry of his leave.

(j) He is an apprentice.

12. According to terms of sub-clauses 2 of clause 14 of the Standing orders, the service of a workman with less than one year service, are terminable by giving 10 days notice in writing or pay and allowances in lieu of such notice. It is admitted fact that services of the petitioner were not dis-engaged as per terms of sub-clause 2 of clauses 14 of the Standing orders. The Certified Standing orders since has been framed under the provisions of Industrial Employment (Standing Orders) Act, 1946, therefore, it has the parity with the provisions of the Industrial Disputes Act, 1947 and the protection afforded to workman under section 25-F of the Industrial Disputes Act, is applicable for the workman who has completed one year continuous service. Sub-clause 1 of clause 14 of the certified Standing orders is parallel to the section 25-F of the Industrial Disputes Act, where as sub-clause 2 clause 14 of the standing orders deals with procedure for dis-engagement of workman in the H. P. S. F. B. who has less than one year service at his credit.

13. The stand taken by the respondent that the petitioner has abandoned the job at his own, but the respondent has led no evidence to prove this aspect of the case. Shri V. S. Thakur, Asstt. Engineer while appearing as RWI, has stated that he has not kept the petitioner nor he dis-engaged him, as such his evidence is of no help to the respondent to prove the factual position. Though he tried to prove that he is making statement on the basis of record but he has not produced any record to prove his such version. Whereas statement of the petitioner to the effect that after his dis-engagement he continued to approach the respondent J. E. and he assured him that as and when the work will be available he will be engaged. It appears from the record that the petitioner was dis-engaged w.e.f. 21-10-1999 and he raised industrial dispute immediately and the matter was referred by labour Officer, on 6-6-2002 to the Labour Commissioner, who sent the same to appropriate forum/Labour Court for adjudication vide letter dated 11-12-2002. The factum of abandonment of the job is a question of fact the burden of proving of which lies on the respondents, but the respondent has not led any evidence to prove the

same, and accordingly, dis engagement of the petitioner is violative of sub-clause 2 of clause 14 of the Certified Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946 applicable to the State Electricity board, and therefore, dis-engagement of the petitioner is illegal and unjustified and is liable to be quashed. This issue is decided in favour of the petitioner and against the respondent.

Issue No. 2 to 4 :

14. The respondent has neither led any evidence in support of any of these three issues nor any arguments were advanced on behalf of the respondent during the course arguments. Otherwise also, in view of my findings issue No. 1 above, and on the basis of evidence as has been discussed above, the respondent has failed to prove that the petition is not maintainable, the same is barred by limitation and the petitioner is estopped from filing the petition due to his own act and conduct. Accordingly, all the three issues are decided in favour of the petitioner and against the respondent.

#### RELIEF

15. In view of my findings on above issues, the dis-engagement of the petitioner by the respondent w. e. f. 21-10-1999 being violative of sub-clause 2 of clause 14 of the Standing orders, as such illegal and void, therefore, liable to be quashed. The petitioner is entitled for his re-instatement on the same terms and conditions in which he was working earlier to his retrenchment. However, keeping in view the peculiar facts and circumstances of the case the petitioner shall not be entitled for any consequential service benefits including back wages. The respondent is directed to re-engage the petitioner within a period of 90 days from today i. e. 1-6-2005, failing which the petitioner shall be entitled for full back wages. The reference is answered accordingly.

Let a copy of this award be sent to the appropriate Government for publication in the official gazette. The file after completion be consigned to record room.

Announced.  
1-6-2005  
Seal.

GEORGE,  
Presiding Judge,  
Labour Court-cum-Industrial Tribunal,  
Dharamshala, Himachal Pradesh.

Shimla-171 002, the 19th April, 2006

No. 1(A)3-8/91-Shram.—In partial modification of this Department Notification of even number dated 7-7-2004 and in exercise of the powers vested in him under section 9 and 10(1) of the Himachal Pradesh Shops and Commercial Establishment Act, 1969 (Act No. 10 of 1970). The Governor of Himachal Pradesh is pleased to fix the Sunday as weekly close day (instead of Tuesday) for the Mall Road, Tibetan Market and Lakkur Bazar Shopping Complex covered under the said Act with immediate effect.

The opening and closing hours of these Shops and Commercial Establishments as well as interval for rest will remain same through out the year i. e. both in Summer and Winter Seasons as notified earlier vide notification dated 7-7-2004 referred to above.

By order,

Sd/-  
Secretary (Lab. & Emp.).

विधि विभाग

आदेश

शिमला-2, 25 अप्रैल, 2006

Notaries Rules, 1956 is pleased to order the suspension from practice as Notary Public of Shri Swantra Kumar, Notary Public w. e. f. 23rd June, 2005 to 22nd June, 2006.

By order,

Sd/-  
Principal Secretary (Law).

बहुदेशीय परियोजनाएं एवं विद्युत विभाग

प्रधिगचनाएं

शिमला-2, 21 अप्रैल, 2006

संख्या एल0 एल0 आर0ई (9) 14/2005-लेज.—क्योंकि श्री स्वतन्त्र कुमार, अधिवक्ता को इस विभाग की अधिगृहणा संख्या एल0 एल0 आर0ई (9) 14/96-लेज, तारीख 9-3-1999 द्वारा जिला कुल्लू के प्रांतीय उप-मण्डल के लिए पब्लिक नोटरी के रूप में नियुक्त किया गया था और उनका नाम नोटरी के रजिस्टर में क्रम संख्या 97 पर प्रविष्ट किया गया था;

और क्योंकि श्री स्वतन्त्र कुमार ने अपने व्यवसाय प्रमाण-पत्र की समाप्ति की तारीख से छः मास से भी अधिक समय के पश्चात् तारीख 10-1-2006 को तीन वर्ष की और अवधि के लिए व्यवसाय के प्रमाण-पत्र के नवीकरण हेतु आवेदन किया था;

और क्योंकि श्री स्वतन्त्र कुमार नोटरी पब्लिक समाप्त हुई अवधि के दौरान नोटरी अधिनियम, 1952 और तदधीन बनाए गए नियमों के उपबन्धों के उल्लंघन में इस प्रकार निरन्तर व्यवसाय करते रहे;

और क्योंकि श्री स्वतन्त्र कुमार को कारण बताओ नोटिस दिया गया था और उस द्वारा किए गए कार्य के विरुद्ध उस द्वारा लिया गया बचाव संतोषप्रद नहीं पाया गया;

अतः हिमाचल प्रदेश के राज्यपाल, नोटरी अधिनियम, 1952 की धारा 10(डो) के साथ पठित नोटरी नियम, 1956 के नियम 13(12)(बी) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री स्वतन्त्र कुमार नोटरी पब्लिक को 23 जून, 2005 से 22 जून, 2006 तक नोटरी पब्लिक के रूप में व्यवसाय करने से निलम्बित करने के आदेश देते हैं।

आदेश द्वारा,

हस्ताक्षरित/-  
प्रधान सचिव (विधि)।

[Authoritative English text of this department Notification No. LLR-E(9)-14/2005-Leg, dated 25th April, 2006 as required under clause (3) of Article 348 of the Constitution of India].

LAW DEPARTMENT

ORDER

Shimla-2, the 25th April, 2006

No. LLR-E (9)-14/2005-Leg.—Whereas Shri Swantra Kumar, Advocate was appointed as Notary Public for Ani Sub-Division of Kullu district vide this Department Notification No. LLR-E (9) 14/96-Leg., dated 9-3-1999 and his name was entered at Serial No. 97 of Register of Notaries;

And whereas Shri Swantra Kumar, Notary Public has applied for the renewal of certificate of practice for further period of three years on 10-1-2006 i. e. after lapse of more than six months from the date of expiry of his certificate of practice;

And whereas Shri Swantra Kumar, Notary Public continued to practise as such during the expiry period, in contravention of the provisions of Notaries Act, 1952 and rules framed thereunder;

And whereas show cause notice was served upon Shri Swantra Kumar, and the defence taken by him against his actions has not been found satisfactory;

Now, therefore, the Governor of Himachal Pradesh in exercise of powers conferred by section 10(d) of the Notaries Act, 1952 read with rule 13(12)(b) of the

संख्या विद्युत-छ(5) 30/2005. —यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य विद्युत परिषद् जो कि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी0 सी0) के अंतर्गत एक सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है, के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन हेतु नामतः उप-मृदा लहरावर, तहसील मबर, जिला बिलासपुर, हिमाचल प्रदेश में 33/11 की 0 बी0 सब स्टेशन बेरी के निर्माण हेतु भूमि अर्जित करनी अति आवश्यक प्रपेक्षित है। अतएव एतद्वारा यह घोषित किया जाता है कि नीचे विवरणों में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन प्रपेक्षित है।

2. भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों की सूचना हेतु घोषणा की जाती है और उक्त अधिनियम को धारा 7 के उपबन्धों के अधीन भूमि अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, पिसिल बैंक भवन, शिमला-3, हिमाचल प्रदेश को उक्त भूमि के अर्जन के लिए आदेश देने का एतद्वारा निर्देश दिया जाता है।

3. इसके अतिरिक्त उक्त अधिनियम की धारा 17 की उप-धारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हिमाचल प्रदेश के राज्यपाल यह निर्देश देते हैं कि अत्याधिक आवश्यक मामला होने के कारण भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, पिसिल बैंक भवन, शिमला-3, हिमाचल प्रदेश उक्त अधिनियम की धारा 9 की उप-धारा 1 के अधीन नोटिस के प्रकाशन से 15 दिन की अवधि समाप्त होने पर पंचाट देने से पूर्व भूमि का कब्जा ले सकता है।

4. भूमि का रेखांक भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, पिसिल बैंक भवन, शिमला-3, हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकता है।

विवरणों

जिला : बिलासपुर	तहसील : मबर
वां	खसरा नं०
हखर	रकबा (बीघों में)
75/71/55/1	0 7

शिमला-2, 18 अप्रैल, 2006

संख्या विद्युत-छ(5) 20/2005. —यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य विद्युत बोर्ड जो कि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा-3 के खण्ड (सी0 सी0) के अंतर्गत सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है, के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन हेतु नामतः मृदा लहरावर, तहसील लडभडोल, जिला मण्डो, हिमाचल प्रदेश में उहल जल विद्युत परियोजना, तृतीय चरण के निर्माण हेतु भूमि अर्जित करनी प्रपेक्षित है। अतएव एतद्वारा यह अधिगृहणा किया जाता है कि उक्त परिशेष में जैसा कि निम्न विवरणों में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन प्रपेक्षित है।

2. भूमि अर्जन अधिनियम, 1894 की धारा-6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों की सूचना हेतु घोषणा की जाती



है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भू-प्रजन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, पिसिल बैंक भवन, शिमला-3, हिमाचल प्रदेश उक्त भूमि के अर्जन के लिए आदेश लेने का एतद्द्वारा निर्देश दिया जाता है।

3. भूमि से सम्बन्धित रेखांक का निरीक्षण कार्यालय भू-प्रजन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, मण्डी, हिमाचल प्रदेश में किया जा सकता है।

विवरणों

जिला : मण्डी

तहसील : लडभडोल

गांव

खसरा नं०

रकबा  
(बीघों में)

चुला(209)

307	0	02	14
410	0	01	04
5867/625/1/1	1	08	17
5871/5799/1/1	0	08	16
308	0	02	06
577	0	00	18
314	0	02	09

कुल 7 2 07 04

शिमला-2, 13 अप्रैल, 2006

संख्या विद्युत-छ-(5) 6/2005.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि सतलुज जल विद्युत निगम लिमिटेड, झाकड़ी जो कि भूमि प्रजन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी० सी०) के अन्तर्गत केन्द्रीय सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है, के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन के लिए नामतः गांव दतनगर, तहसील रामपुर, जिला शिमला, हिमाचल प्रदेश में रामपुर जल विद्युत परियोजना के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्द्वारा यह अधिसूचित किया जाता है कि उक्त परिसर में जैसा कि निम्न विवरणों में निदिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. भूमि प्रजन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों के लिए यह घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भूमि प्रजन समाहर्ता, सतलुज जल विद्युत परियोजना, झाकड़ी, जिला शिमला, हिमाचल प्रदेश को एतद्द्वारा भूमि के अर्जन के लिए आदेश लेने का निर्देश दिया जाता है।

3. भूमि का रेखांक भू-प्रजन, समाहर्ता, सतलुज जल विद्युत परियोजना, झाकड़ी, जिला शिमला, हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकता है।

विवरणों

जिला : शिमला

तहसील : रामपुर कृष्णहर

गांव

खसरा नं०

क्षेत्र  
(हेक्टर में)

1

2

3

दतनगर

659	0	38	56
660	0	25	70
661	0	23	42
682	0	21	59
713	0	26	61
714	0	20	30
726	0	55	52
727	0	16	36
609	0	01	08
688	0	13	10
610	0	05	60

1	2	3
	686	0 14 80
	687	0 03 36
	640	0 24 41
	641	0 02 35
	2210/642	0 03 52
	2211/642	0 05 18
	658	0 18 99
	679	0 05 88
	690	0 31 84
	695	0 11 11
	680	0 28 31
	681	0 04 88
	443	0 55 15
	352	0 24 69
	2213/444	0 01 76
	445	0 01 66
	446	0 02 40
	447	0 08 76
	491/1	0 00 60
	491/2	0 60 91
	492	0 03 36
	493	0 02 82
	494/1	0 01 70
	494/2	0 27 08
	494/3	0 00 56
	494/4	0 00 36
	495	0 00 66
	496/1	0 01 33
	496/2	0 10 77
	496/3	0 00 80
	496/4	0 00 32
	592	0 03 10
	594	0 01 92
	596	0 00 30
	618	0 30 50
	621	0 35 14
	2214/622	0 07 28
	623	0 26 02
	624	0 45 71
	626	0 00 25
	627	0 79 70
	629	0 58 28
	630	0 09 79
	635	0 15 79
	636	0 29 60
	648/1	0 05 37
	646/2	0 05 35
	648	0 10 02
	715	0 14 57
	593	0 03 75
	595	0 20 36
	597	0 06 66
	598	0 05 98
	599	0 05 16
	601	0 00 81
	606	0 00 40
	607	0 01 17
	611	0 02 21
	615	0 00 67
	649	0 00 29
	650	0 16 52
	651	0 25 25
	689	0 09 84
	691	0 11 49
	692	0 10 20
	693	0 01 17
	694	0 05 62



1	2	3	1	2	3
	2212/444	0 08 13		584	0 14 71
	600	0 06 25		577/1	0 01 05
	602	0 05 80		582/1/1	0 15 40
	603	0 01 17			
	604	0 44 28			
	358	0 15 68			
	359	0 22 14			
	605	0 13 88			
	608	0 03 91			
	612	0 11 90			
	613	1 69 31			
	614	0 04 12			
	616	0 00 80			
	617	0 02 50			
	619	0 00 18			
	620	0 00 96			
	2215/622	0 16 93			
	631	0 00 90			
	632	0 20 71			
	633	0 03 24			
	634	0 03 97			
किता .. 99		14 71 10			

शिमला, 18 अप्रैल, 2006

सदया विद्युत-छ- (5) 6/2003.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य विद्युत परिषद् जो कि भूमि भर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) का धारा 3 के खण्ड (सी० सी०) के अन्तर्गत सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है, के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव शमकोर, तहसील रामपुर, जिला शिमला, हिमाचल प्रदेश में गानवी जल विद्युत परियोजना स्टेज-II के बेयर साईट व इनटेक एरिया के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह घोषित किया जाता है कि उक्त परिक्षेत्र में जैसा कि नीचे विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों की सूचना हेतु घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भूमि अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, थिसिल बैंक भवन, शिमला-3, हिमाचल प्रदेश को उक्त भूमि के अर्जन के लिए आदेश देने का एतद्वारा निर्देश दिया जाता है।

3. इसके अतिरिक्त उक्त अधिनियम की धारा 17 की उप-धारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हिमाचल प्रदेश के राज्यपाल यह निर्देश भी देते हैं कि अत्याधिक आवश्यक मामला होने के कारण भूमि अर्जन समाहर्ता, हि० प्र० राज्य विद्युत बोर्ड, थिसिल बैंक भवन, शिमला-3, हिमाचल प्रदेश उक्त अधिनियम की धारा 9 की उप-धारा 1 के अधीन नोटिस के प्रकाशन के 15 दिन की अवधि समाप्त होने पर पचाट देने में पूर्व भूमि का कब्जा ले सकते हैं।

4. भूमि का रेखांक भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड, थिसिल बैंक भवन, शिमला-3, हि० प्र० के कार्यालय में निरीक्षण किया जा सकता है।

विवरण।

जिला : शिमला	तहसील : रामपुर	रकबा (हेक्टेयर में)
गांव	खसरा न०	
1	2	3
शमकोर	587	0 10 49
	583/1	0 05 00
	583	0 49 37

आदेश द्वारा,  
हस्ताक्षरित/-  
प्रधान सचिव।

लोक निर्माण विभाग

अधिसूचनाएं

शिमला-2, 17 अप्रैल, 2006

संख्या पी० बी० डब्ल्यू० बी० ए० (7) 1-10/2003.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव फाटी वशिष्ठ, तहसील मनाली जिला कुलू में राष्ट्रीय उच्च मार्ग-21 को चौड़ा करने हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित अथवा अनुमत अन्य सभी कार्यों को करने के लिए सह्य प्राधिकार देने हैं।

4. कोई भी हितवद व्यक्ति, जिस उक्त परिच्छेद में कथित भूमि के अर्जन पर कोई आपत्ति हो, तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिन की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, लोक निर्माण विभाग, मण्डी के कार्यालय में दायर कर सकता है:—

विवरणी

जिला : कुलू	तहसील : मनाली
गांव	खसरा न०
	क्षेत्र (बीघा विन्हा)
वशिष्ठ	482/3
	0 02 04
किता	1
	0 02 04

शिमला-2, 25 अप्रैल, 2006

संख्या पी० बी० डब्ल्यू० बी० ए० (7) 1-92/2004.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु गांव फाटी जलू कोठी चोगण, तहसील व जिला कुलू में शाट-जलूपा सड़क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विवरणी में वर्णित भूमि उपयुक्त प्रयोजन के लिए अपेक्षित है।

2. यह घोषणा, भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों की सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा 7 के अधीन भू-अर्जन समाहर्ता, लोक निर्माण विभाग, मण्डी को उक्त भूमि के अर्जन करने के आदेश देने का एतद्वारा निर्देश दिया जाता है।

3. भूमि रेखांक का निरीक्षण भू-ध्वजन समारोही, लोक निर्माण विभाग, मध्य ओर मण्डी के कार्यालय में किया जा सकता है।

जिला : र.प.	विबरणी	तहसील : कुल्हू
गांव	खसरा नं०	क्षेत्र (बीघों में)
1	2	3
फादी जलू कोठी बोग	73	0 10 00
	72/1	0 07 02
	67/1	0 13 10
	1966/1	0 15 05
	1985/1	1 06 09
किला .. 5		3 12 06

जिमसा-2 25 अप्रैल, 2006

संख्या पी० बी० डब्ल्यू० बी० ए० (7) 93/2005. यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी ध्वज पर मार्बलिनिक प्रयोजन हेतु नामतः गांव गोहरमा, तहसील लाहौल, जिला लाहौल-स्पीति (हि० प्र०) में छम्पोक बिस्वर सम्पत् सड़क के निर्माण हेतु भूमि की जाती अपेक्षित है। अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विबरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. यह घोषणा, भूमि ध्वजन अधिनियम, 1894 की धारा 6 के उपखण्डों के अधीन इससे सम्बन्धित सभी व्यक्तियों को सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा 7 के अधीन भू-ध्वजन समारोही, लोक निर्माण विभाग को उक्त भूमि के ध्वजन करने के पारेल लेने का एतद्वारा निर्देश दिया जाता है।

3. भूमि रेखांक का निरीक्षण भू-ध्वजन अधिकारी (एस० डी० एम०), लाहौल-स्पीति रिजर्व केसम के कार्यालय में किया जा सकता है।

जिला : लाहौल-स्पीति	विबरणी	तहसील : लाहौल
गांव	खसरा नं०	क्षेत्र (बीघों में)
1	2	3
गोहरमा	5/1	0 17 00
	65/1	0 06 00
	66/1	0 04 00
	67/1	0 03 00
	68/1	0 14 00
	87/1	0 09 00
किला .. 6		2 13 00

यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी ध्वज पर मार्बलिनिक प्रयोजन हेतु नामतः भूमि अर्जित करनी अपेक्षित है। अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिच्छेद में जैसा कि निम्न विबरणी में निश्चित किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हो सकते हैं, को जानकारी के लिए भूमि ध्वजन अधिनियम, 1894 की धारा 4 के उपखण्डों के अन्तर्गत जारी की जाती है।

3. एवम् धारा द्वारा प्रदत्त शक्तियों का प्रयोग करने हेतु, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके संबन्धितों और अधिकारियों को इसके को किन्हीं भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उक्त धारा द्वारा प्रेषित अथवा प्रेषित करने वाले कार्यों को करने के लिए सख्त परिहार देते हैं।

4. कोई भी हिंसक व्यवहार, जिनके उक्त परिच्छेद में वर्णित भूमि के ध्वजन पर कोई धारणा हो तो यह इस अधिसूचना के पत्रांकित होने के तुरंत (30) दिन की अवधि के भीतर लिखित रूप में भू-ध्वजन समारोही, लोक निर्माण विभाग, मण्डी के कार्यालय में दायर कर सकता है।

\*महल मेला, तहसील महर, जिला मण्डी में मण्डी मेला मण्डीमहल सड़क के निर्माण हेतु।

संख्या पी० बी० डब्ल्यू० बी० ए० (7) 1-120/2005.

जिमसा-2, 17 अप्रैल, 2006

जिला : मण्डी	विबरणी	तहसील : महर
गांव	खसरा नं०	क्षेत्र (बीघों में)
1	2	3
मेला/342	460/1	0 06 09
किला .. 1		0 06 09

तहसील : चम्पोट

\*महल स्याज 70, तहसील चम्पोट, जिला मण्डी में स्याज सम्पत् सड़क के निर्माण हेतु।

संख्या पी० बी० डब्ल्यू० बी० ए० (7) 1-5/2006.

जिमसा-2, 18 अप्रैल, 2006.

स्याज	खसरा नं०	क्षेत्र (बीघों में)
1	2	3
294/1		0 18 12
295/1		0 00 06
296		0 10 11
381/1		0 15 14
385/1		0 02 10
386/1		0 01 14
388		0 00 12
390/1		0 11 08
390/2		0 01 07
491/1		0 01 18
492/1		0 03 06
493/1		0 01 10
494/1		0 00 12
496/1		0 02 01
497/1		0 01 07
502/1		1 08 17
किला .. 16		5 02 05

जिमसा-2, 25 अप्रैल, 2006

संख्या पी० बी० डब्ल्यू० बी० ए० (7) 1-47/2005.— यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी ध्वज पर मार्बलिनिक प्रयोजन हेतु नामतः गांव मुला/49, तहसील मुला, जिला मण्डी में जूझट्टी-मिल्लो-बगी सड़क के निर्माण हेतु भूमि की जाती अपेक्षित है। अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विबरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. यह घोषणा भूमि ध्वजन अधिनियम, 1894 की धारा 6 के उपखण्डों के अधीन इससे सम्बन्धित सभी व्यक्तियों को सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा 7 के अधीन भू-ध्वजन समारोही, लोक निर्माण विभाग, मण्डी को उक्त भूमि के ध्वजन करने के पारेल लेने का एतद्वारा निर्देश दिया जाता है।

3. भूमि रेखांक का निरीक्षण भू-ध्वजन समारोही, लोक निर्माण विभाग, मध्य ओर मण्डी के कार्यालय में किया जा सकता है।

विबरणी		तहसील : पनाग	
जिला : मण्डी		क्षेत्र	
गाँव	खसरा नं०	(बीघों में)	
मुलाह	794/251/1	0	11 04
किला	1	0	11 04

शिमला-2, 17 अप्रैल, 2006

गणना की 0 बी० 0 खसरा नं० 0 (7) 1-24/2006.—यह हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार की सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामित गाँव बणो, तहसील कण्ठाघाट, जिला सोलन में बिन-हमिपुर् सड़क के निर्माण हेतु भूमि अर्जित करनी प्रेषित है। धनपूर्व एतद्वारा यह घोषित किया जाता है कि उक्त परिशेष में जैसा कि निम्न विवरणी में निविष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि गत प्रयोजन प्रेषित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भूमि प्रयोजन अधिनियम, 1894 की धारा 4 के उपबन्धों के प्रस्तुत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश द्वारा समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और अधिकारियों को इसके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा प्रेषित प्रथम धनुषाध्यक्ष सभी कार्यों को करने के लिए सहव प्रधिकार देता है।

4. कोई भी हितव्यक्त व्यक्ति, जिसे उक्त परिशेष में कतिपय भूमि के प्रयोजन पर कोई आपत्ति हो, तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिन की अवधि के भीतर लिखित रूप में सूचना समारोह, लोक निर्माण विभाग, बन्दर फिरोज, शिमला के समक्ष अपनी आपत्ति दायर कर सकता है।

विबरणी		तहसील : कण्ठाघाट	
जिला : सोलन		क्षेत्र	
गाँव	खसरा नं०	(बीघा बिल्वा)	
1	2	3	
बणी	258/1	0	5
	259/1	0	4
	260/1	0	5
	317/309/271/218/1	1	0
	269/217/1	0	8

भाग-2—बैधानिक नियमों को छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

Office of the General Manager, District Industries Centre, Hamirpur (H. P.)

## DECLARATION UNDER SECTION 24 OF THE ACT

Hamirpur, the 3rd March, 2006

No. Udyog HMR/DIC/M.M. Loan 2034 4193.—Whereas a notice was served to Shri Hem Raj s/o Shri Bakshi Ram, Vill. & P.O. Dhamrol, Teh. Bhoranj, Distt. Hamirpur on 27-7-2005 under section 23 of H. P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon said Shri Hem Raj s/o Shri Bakshi Ram to pay to me the sum of Rs. 7000.00 as principal and Rs. 9922.00 as interest on or before the 29-8-2005 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. Seventy thousand as principal and Rs. Nine thousand nine hundred twenty two as interest total amount is Rs. 16922.00 due from said Shri Hem Raj s/o Sh. Bakshi Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

## REVENUE DEPARTMENT

### CORRIGENDUM

Shimla-171 002, the 26th April, 2006

No. Rev. D(F)11-11/2006.—Please read "6th October, 2005" and "sub-section (1) (b) of section 4" instead of 6th October, 2006" and "sub-section (1) (b)" respectively appeared in the first para of this Department's Notification of even number dated 21-4-2006.

By order,

Sd/-

Financial Commissioner-cum-Secretary.

### SCHEDULE

All assets present and to be hereinafter acquired by the loanee, whether the said assets are present or in future in his name including books debts, stocks shares premises and machinery and purchased with the aid on loan or a part thereof and any other personal security of the loanee.

### SURITIES

1. Shri Ishwar Dass s/o Shri Girdhari Lal, Vill. Naku, P. O. Dhamrol, Teh. Bhoranj, Distt. Hamirpur.
2. Shri Hari Chand s/o Shri Bhanu Ram, Vill. Ward No. 8, Hamirpur, Distt. Hamirpur.

Hamirpur, the 3rd March, 2006

No. Udyog HMR/DIC/M.M. Loan 2019.—Whereas a notice was served to Sh. Jagat Ram s/o Sh. Ghunaiya Ram, Vill. Dhar, P. O. Nagrota Gazian, Teh. Bhoranj (Hamirpur) on 27-7-2005 under section 23 of H. P.

State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon said Shri Jagat Ram s/o Shri Ghanaiya Ram to pay to me the sum of Rs. 2500.00 as principal and Rs. 4291.00 as interest on or before the 29-8-2005 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. Two thousand five hundred as principal and Rs. Four thousand two hundred ninety one as interest total amount is 6791.00 due from the said Shri Jagat Ram s/o Shri Ghanaiya Ram and that the property described in the attached schedule is liable for the satisfaction of the said debt.

#### SCHEDULE

All assets present and to be hereinafter acquired by by the loanee, whether the said assets are present or in future in his name including book debts, stocks shares premises and machinery and purchased with the aid on loan or a part thereof and any other personal security of the loanee.

#### SURITIES

1. Shri Raj Kumar s/o Shri Harji Ram, Vill. Nayar, P. O. Awahdevi, Teh. Bhoranj, Distt. Hamirpur.
2. Shri Yog Raj s/o Shri Mangat Ram, Vill. Dhirar P. O. Nagrota Gazian, Teh. Bhoranj, Distt. Hamirpur.

Hamirpur, the 3rd March, 2006

No. Udyog/HMR/DIC/M.M. Loan 2048-4199.—Whereas a notice was served to Shri Harbans Raj s/o Shri Kishan Lal, Vill. Lalyar, P. O. Bagwara, Teh. Bhoranj (Hamirpur) on the 23-12-2005 under section 23 of H. P. State Aid to Industries Act, 1971 as modified and applied to Himachal Pradesh calling upon the said Shri Harbans Raj s/o Shri Kishan Lal to pay to me the sum of Rs. 2425.00 as principal and Rs. 5248.00 as interest on or before the 31-1-2006 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 2425.00 as principal and Rs. 5248.00 as interest total amount of Rs. 7673.00 due from said Shri Harbans Raj s/o Shri Kishan Lal and that the property described in the attached schedule is liable for the satisfaction of the said debt.

#### SCHEDULE

All assets present and to be here inafter acquired by the loanee, whether the said assets are present or in future in his name including books debts, stocks shares premises and machinery and purchased with the aid on loan or a part thereof and any other personal security of the loanee.

#### SURITIES

1. Shri Rattan Chand s/o Shri Bhagat Ram, Vill. & P. O. Lalyar, Teh. Bhoranj, Distt. Hamirpur.
2. Shri Khiali Ram s/o Shri Kapoora Ram, Vill. Lalyar, P.O. Bagwara, Teh. Bhoranj, Distt. Hamirpur.

Sd/-

General Manager,  
District Industries Centre,  
Hamirpur, Distt. Hamirpur (H.P.).

भाग-3—अधिनियम, विधेयक और विधेयकों पर प्रवर समितिके प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल हिमाचल प्रदेश हाई कोर्ट, फाईनेंशियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि

#### HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

#### NOTIFICATIONS

Shimla, the 20th/21st April, 2006

No. HHC/13-2/S.81-8420.—The Hon'ble the Chief Justice is pleased to make the following amendments in

कार्यालय सहायक पंजीयक, सहकारी सभाएं, ऊना, जिला ऊना, हिमाचल प्रदेश

कार्यालय आदेश

ऊना, 31 मार्च, 2006

संख्या ए० आर० कूप०/निरीक्षक मुख्यालय/2729-32.—जैसे कि दो सन्तोषगढ़ सहकारी थम एवं निमाण सभा सीमित, दिनांक 21-8-1985 का पंजीयन संख्या 507 के अन्तर्गत पंजीकृत हुई थी और सहायक पंजीयक, सहकारी सभाएं के कार्यालय आदेश संख्या 3578-82, दिनांक 1-3-2000 के द्वारा विघटन में डाली गई है;

हालांकि विघटन द्वारा अपने विघटनाधीन कार्यकाल के दौरान सभा को पंजीकृत करने के प्रयास किए गए परन्तु वांछित परिणाम प्राप्त नहीं हुआ। सभा का दायित्व व प्राप्त्य सभा के अन्तिम/ता तारीख अंकेक्षण पत्र व निरीक्षण पत्र के अनुसार समायोजित हो चुकी है;

जैसा कि उक्त सभा के विघटन द्वारा अन्तिम प्रतिवेदन व निरीक्षक, सहकारी सभाएं हरोली ने अपने कार्यालय पत्रांक 338 दिनांक 29-3-2006 के अन्तर्गत उक्त सभा के पंजीकरण को रद्द करने की सिफारिश भी की है।

अतः उपरोक्त के दृष्टिगत, मैं, दिने राम धोमान, सहायक पंजीयक सहकारी सभाएं, ऊना, जिला ऊना, हिमाचल प्रदेश सहकारी सभाएं अधिनियम, 1968 (एक्ट नं० 3 भाग 1969) की धारा 83(2) के अन्तर्गत पंजीयक, सहकारी सभाएं, हिमाचल प्रदेश, शिमला की शक्तियों का प्रयोग करते हुए आज दिनांक 31-3-2006 को उपरलिखित सहकारी सभा के पंजीयन को रद्द करने का आदेश देता हूँ।

ऊना, 31 मार्च, 2006

संख्या ए० आर० कूप०/निरीक्षक मुख्यालय/2733-36.—जैसे कि दो गोन्दपुर तरफवला बुनकर सहकारी औद्योगिक सभा सीमित दिनांक 24-12-1957 को पंजीयन संख्या 271 के अन्तर्गत पंजीकृत हुई थी और सहायक पंजीयक, सहकारी सभाओं के कार्यालय आदेश संख्या 3453-57, दिनांक 1-3-2000 के द्वारा विघटन में डाली गई थी;

हालांकि विघटन द्वारा अपने विघटनाधीन कार्यकाल के दौरान सभा को पंजीकृत करने के प्रयास किये गये परन्तु वांछित परिणाम प्राप्त नहीं हुआ। सभा का दायित्व व प्राप्त्य सभा के अन्तिम/ता तारीख अंकेक्षण पत्र व निरीक्षण पत्र के अनुसार समायोजित हो चुकी है;

जैसा कि उक्त सभा के विघटन द्वारा अन्तिम प्रतिवेदन व निरीक्षक, सहकारी सभाओं, हरोली ने अपने कार्यालय पत्रांक 339, दिनांक 31-3-2006 के अन्तर्गत उक्त सभा के पंजीकरण को रद्द करने की सिफारिश भी की है।

अतः उपरोक्त के दृष्टिगत, मैं, दिने राम धोमान, सहायक पंजीयक, सहकारी सभाओं, ऊना, जिला ऊना, हिमाचल प्रदेश सहकारी सभाओं अधिनियम, 1968 (एक्ट नं० 3 भाग 1969) की धारा 83(2) के अन्तर्गत पंजीयक, सहकारी सभाओं, हिमाचल प्रदेश शिमला की शक्तियों का प्रयोग करते हुये आज दिनांक 31-3-2006 को उपरलिखित सहकारी सभा के पंजीयन को रद्द करने का आदेश देता हूँ।

दिने राम धोमान,  
सहायक पंजीयक, सहकारी सभाएं,  
ऊना, जिला ऊना, हिमाचल प्रदेश।

the High Court of Himachal Pradesh (Use, Maintenance and Control of Staff Cars) Rules, 1981"—

1. *Short title.*—These Rules shall be called the "High Court of Himachal Pradesh (Use, Maintenance and Control of Staff Cars) (Seventeenth Amendment) Rules, 2006".

2. *Commencement.*—These Rules shall come into force with immediate effect.

3. *Amendment*.—In Rule 9, after clause +9-B, the following clause shall be inserted:—

“(9-C) Without prejudice to the official requirements, the vehicle in the general pool, if available, in rare cases, be provided to the High Court Staff, in emergency by the learned Registrar (Vigilance) on payment of usual charges as fixed from time to time”.

BY ORDER OF HON'BLE THE CHIEF JUSTICE.

Sd/-  
(J. N. BAROWALIA),  
Registrar (Rules).

Shimla-1, the 20th/21st April. 2006

No. HHC/Rules/Vol.-V/97-8402. In exercise of the powers vested in it under Section 23 of the State of Himachal Pradesh Act, 1970, Section 129 of the Code of Civil Procedure, 1908 as amended from time to time, Article 225 of the Constitution of India and all other powers enabling hereunto, the High Court of Himachal Pradesh is pleased to make the following amendments in the ‘High Court of Himachal Pradesh (Appellate Side) Rules, 1977’ :—

1. These Rules shall be called the High Court of Himachal Pradesh (Appellate Side) (Fourth Amendment) Rules, 2006.

2. These Rules shall come into force with immediate effect.

3. Rule 1 (iii), Chapter 4 of the High Court of Himachal Pradesh (Appellate Side) Rules, 1979 is substituted as under :—

“To receive and dispose of all applications under Order 22, Rules 2, 3, 4, 10 and 10-A of the Code and to amend the record, if necessary, except in cases under appeal to the Supreme Court”.

New sub-rules (xvii), (xviii) and (xix) to Rule 1, after sub-rule (xvi) are added as follows:—

“(xvii) The matter for scrutiny of service shall, in the first instance, be listed before the Deputy Registrar/Additional Registrar to be nominated specifically for this purpose by the Chief Justice who may grant to the parties not more than three opportunities but within a total period of two months for taking effective steps for service of notice etc. If the party concerned fails to comply with the directions issued by the Deputy Registrar/Additional Registrar he shall after making a brief note, submit the matter to the Registrar, to be nominated by the Chief Justice for orders as per the following paragraph (xviii).

(xviii) The matter after submission by the Deputy Registrar/Additional Registrar shall be taken up by the Registrar to be nominated for this purpose by the Chief Justice, who upon hearing the party concerned and based upon the report of the Deputy Registrar/Additional Registrar, grant one, or at the most two more opportunities but within a total period of not more than six to ten weeks to the party concerned to comply with the directions. If despite such directions of the Registrar, the party does not do the needful within the time stipulated for the purpose, the Registrar should submit the matter for consideration to the Court alongwith his brief note.

(xix) Such cases where the Court itself, in the first instance, has fixed a time limit for filing reply/objections/rejoinders or other pleadings or for compliance of other directions in furtherance of the progress of a case and if despite such time initially granted by the Court, the party concerned has not done the needful, on expiry of the

period so granted by the Court in the first instance, the matter shall not be listed before the Court. Such matters shall be listed before the Deputy Registrar/Additional Registrar and thereafter, before the Registrar for extension of time, beyond the time limit fixed by the Court, as per sub rule (xvii) & (xviii) of these Rules:

Provided that notwithstanding anything contained in sub-rules (xvii), (xviii) & (xix), actual date matters and matters containing peremptory directions shall be listed only before the Courts.

BY ORDER OF THE HIGH COURT,

Sd/-  
Registrar (Rules).

Shimla-1, the 20th/21st April. 2006

# REGULATIONS FOR HOLDING COMPETITIVE EXAMINATION FOR APPOINTMENT TO THE CADRE OF DISTRICT JUDGES/ADDITIONAL DISTRICT JUDGES BY DIRECT RECRUITMENT.

No HHC/Rules/22(25)/83 8454.—In exercise of the powers conferred under Rule 2 (i) (g) (i) & (ii) read with Rule 5, of the Himachal Pradesh Judicial Service Rule, 2004, the High Court of Himachal Pradesh is pleased to make the following amendments in “The Himachal Pradesh Judicial Service (Competitive Examination for the cadre of District Judges/Additional District Judges), Regulations, 2005” :—

1. *Short title*.—These Regulations shall be called “the Himachal Pradesh Judicial Service (Competitive Examination for the cadre of District Judges/Additional District Judges) (1st Amendment) Regulations, 2006.”

2. *Commencement*.—They shall come into force with immediate effect.

3. *Amendment*.—Regulation No. 3(c) to the Himachal Pradesh Judicial Service (Competitive Examination for the cadre of District Judges/Additional District Judges), Regulations, 2005, shall be substituted as follows:—

3. *Definitions* (c).—“Examination” means the competitive examination under these Regulations and includes the “Preliminary” as well as “Main” examinations.

4. Regulation No. 7 to The Himachal Pradesh Judicial Service (Competitive Examination for the cadre of District Judges/ Additional District Judges), Regulations, 2005, shall be substituted as follows:—

7. *Holding and Conduct of Competitive Examination*.—The competitive examination for appointment to the cadre of District Judges/Additional District Judges, to be appointed by direct recruitment, shall consist of :—

(i) *Preliminary examination* :

All the candidates who apply for the post(s) and are found eligible shall be called for a preliminary examination which shall be an objective type examination, consisting of the following three papers of 100 marks each:—

- (a) Civil Law
- (b) Criminal Law
- (c) General Knowledge

Each paper shall be of one hour duration and examination in all the three papers shall be held on the same day.

(ii) *Main examination :*

On the basis of the merit obtained in the preliminary examination, candidates equal to thirty five times the number of vacancies to be filled in shall be called for taking the main examination :

Provided that minimum number of candidates to be called for appearing in the main examination shall be seventy five.

The papers/subjects for the main examination and the maximum marks for each paper shall be as follows :

Sl No.	Subject/Paper	Maximum marks
1	2	3
1.	Criminal Law	200
2.	Civil Law, including Land Revenue Law.	200
3.	Constitutional Law	200
4.	General Knowledge Including English Composition.	200
Total		800

The syllabus for the preliminary and the main examination shall be as is prescribed in the Schedule-II to these Regulations.

(iii) *Viva-Voce :*

Out of the candidates who qualify the main examination, according to the merit obtained therein, candidates shall be called for *viva-voce* in accordance with Regulation 10 (v). The *viva-voce* shall carry an aggregate marks of 300.

5. Regulation No. 9 to The Himachal Pradesh Judicial Service (Competitive Examination for the cadre of District Judges/Additional District Judges), Regulations, 2005, shall be substituted as follows:

9. *Answer books:* (i) The Secretary shall supply the requisite number of question-cum-answer papers for the preliminary examinations. The instructions to the candidates shall be contained in the beginning of each question-cum-answer paper. All the said question-cum-answer papers shall bear the seal of the Secretary or shall be signed by the Superintendent of the Examination.

(ii) The Secretary shall supply the required number of blank answer books as well as question papers for the examination. The first page of every answer book shall contain the instructions. The answer books shall bear the seal of the Secretary or shall be signed and stamped by the Superintendent of examination.

(iii) Answer by the candidates must be written legibly on both sides of the paper. On no account shall any sheet or part of a sheet be torn or removed from any answer book. The candidates shall not write their names or put any other mark(s) anywhere in the answer book which may indicate their identity.

(iv) All answer books collected from the candidates shall be packed immediately on the conclusion of each paper and shall be sealed by the secretary/superintendent (examination) and forwarded to the examiners as quickly as possible.

(v) At the close of the examination an account of the answer books received and used together with all the unused answer books shall be drawn.

(vi) The answer books shall be kept for record for one year the declaration of the result.

6. Regulation No. 10 to The Himachal Pradesh Judicial Service (Competitive Examination for the Cadre of District Judges/Additional District Judges), Regulations, 2005, shall be substituted as follows:

10. *Evaluation of the answer books and publication of the result.* (i) The examiner(s) who set the question papers for the preliminary examination shall prepare the key (answer) which shall be handed over to the Secretary in a sealed cover. On the basis of the key (answer) the Secretary shall cause the question-cum answer book of the preliminary examination to be evaluated and accordingly also prepare the award list and marks sheet immediately.

If in any preliminary examination a very large number of candidates appear, the examination committee may in its discretion decide to have the papers evaluated for marking through electronic means.

(ii) The Secretary shall cause the answer books of various papers of the main examination evaluated from the examiners appointed by the Committee and the examiners shall prepare award lists and marks sheets and forward the same to the Secretary alongwith the answer books within a month of the receipt of the answer books by them.

(iii) The result shall be compiled by the Secretary on receipt of the award lists and marks sheets and shall be placed before the Committee for its approval, with such recommendations, as may be deemed necessary.

(iv) No candidate shall be considered to have qualified in the "Main Examination" unless he obtains a minimum of 50% of marks in each individual paper and 55% in aggregate.

(v) For each vacancy, five candidates shall be called for *viva-voce* from out of the candidates who qualify the main examination prescribed in the manner indicated hereinabove, strictly in order of merit.

(vi) The marks obtained in *viva voce* shall be added to the marks obtained in the main examination for preparing a select list of successful candidates. The select list so prepared shall remain valid for a period of one year from the date of its preparation.

(vii) The Secretary shall cause the select list and the result of the examination to be notified and published in the manner directed by the Committee. The Committee may also decide to inform the selected candidates about the result of the examination and/or the fact of their having been selected.

(viii) Based on the result of the examination the High Court may make appropriate recommendation to the State Government for issuance of appointment orders in accordance with Article 233 of the Constitution of India.

7. Schedule-I annexed to "The Himachal Pradesh Judicial Service (Competitive Examination for the cadre of District Judges/Additional District Judges), Regulations, 2005, shall stand amended as per amended Schedule-II enclosed with this amendment.

By order,  
J. N. BARWALIA,  
Registrar (Rules).

SCHEDULE-II  
(R for to Regulation 7)

BOOKS AND SYLLABUS FOR EXAMINATION FOR THE CADRE OF DISTRICT JUDGES/ADDITIONAL DISTRICT JUDGES BY DIRECT RECRUITMENT FROM AMONGST ELIGIBLE ADVOCATES.

**First Paper****Criminal Law including Special Laws**

- (1) **Major Manual** (a) The Indian Penal Code, 1860
- (b) The Criminal Procedure Code, 1973
- (c) The Indian Evidence Act, 1872



- (2) The Narcotic Drugs and Psychotropic Substances Act, 1986
- (3) The Prevention of Corruption Act, 1988
- (4) The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
- (5) The Prevention of Food Adulteration Act, 1954
- (6) The Indian Forest Act, 1927

अम विभाग

अधिगमनाम

शिमला-1, 31 मार्च, 2006

## Second Paper

## Civil Law including local laws of Himachal Pradesh

- (a) The Code of Civil Procedure, 1908
- (b) The Indian Evidence Act, 1872
- (c) The Transfer of Property Act, 1882
- (d) The Guardian & Wards Act, 1890
- (e) The Hindu Adoptions and Maintenance Act, 1956
- (f) The Hindu Marriage Act, 1955
- (g) The Hindu Succession Act, 1956
- (h) The Land Acquisition Act, 1894
- (i) Indian Succession Act, 1925
- (j) Chapter No. X, XI and XII of the Motor Vehicles Act, 1988.
- (k) The Himachal Pradesh Rent Control Act, 1987
- (l) The Himachal Pradesh Tenancy and Land Reforms Act, 1972.
- (m) The Himachal Pradesh Land Revenue Act, 1953
- (n) The Himachal Pradesh Village Common Lands (Vesting and Utilization) Act, 1974.

## Third Paper

## Constitutional Law

- (A) Theory of Constitutional Law
- (B) Constitution of India

## Fourth Paper

## General Knowledge including English Composition

The knowledge of candidates regarding history, geography, current affairs developments in the recent past science and technology etc. etc. in so far as the English composition is concerned, the candidates would be expected to know about their command over English language including the drafting, writing articles, essays etc. etc.

Note: No bare Acts shall be supplied.

STATE ELECTION COMMISSION  
HIMACHAL PRADESH

## NOTIFICATION

Shimla 2, the 5th April, 2006

No SEC 56/2005 471 572 -In exercise of the powers conferred under sub-section (1) and (2) of the Section 5 and Section 19 of the Right to Information Act, 2006, I, hereby designate the following Officers of the State Election Commission as State Public Information Officers and State Assistant Public Information Officers required under the Act *ibid*, in the following manner, with immediate effect, in the public interest:

- (1) The Secretary, State Election Commission, Himachal Pradesh, as State Public Information Officer in respect of the State Election Commission as per provisions contained in Section 5(1) of the Right to Information Act, 2005.
- (2) The Superintendent Grade I, State Election Commission, Himachal Pradesh as State Assistant Public Information Officer, in respect of the State Election Commission as per provisions contained in Section 5(2) of the Right to Information Act, 2005.

By order,

RAJENDER BHATTACHARYA,  
State Election Commissioner,  
Himachal Pradesh.

मक्या 11-23/84 (नैव) आईओ डी0/06-मण्डी प्रयोहना-अरी को यह प्रतीत होता है कि Smt Kamti Devi d/o Shri Jagat Ram, Village San Ropru, P.O. Surwari, Sub-Tehsil Kotli, District Mandi (H P) Vs. The Chief Medical Officer, Mandi (H P) के मध्य नीचे विद् गद् विषय पर औद्योगिक विवाद है।

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझीता अधिकारी द्वारा प्रदान की गई लिमिट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के उपरान्त प्रयोहना-अरी ने निर्णय लिया है कि मामला अम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

धरा हिमाचल प्रदेश सरकार द्वारा जारी अधिवचना मक्या 19-8/89-अम (नूत) दिनांक 7 मियम्बर, 1992 द्वारा प्रदान शक्तियों का प्रयोग करते हुए प्रयोहना-अरी औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदान शक्तियों का प्रयोग करते हुए एनद्द्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित अम न्यायालय/औद्योगिक अधिकरण हिमाचल प्रदेश की नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है:—

"Whether the termination of services of Smt. Kamti Devi d/o Shri Jagat Ram workman by the Chief Medical Officer, Mandi, District Mandi (H P) w. e. f. 24-8-1997 without complying the provisions of the Industrial Disputes Act, 1947 whereas junior to her retained as alleged by the workman is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?"

शिमला-1, 31 मार्च, 2006

मक्या 11-23/84 (नैव) आईओ डी0/06-मण्डी—प्रयोहना-अरी को यह प्रतीत होता है कि Shri Kishan Chand s/o Shri Mast Ram, (2) Shri Roshan Lal s/o Shri Soju Ram, (3) Shri Jhabe Ram s/o Shri Paras Ram c/o Shri N L Koundal, Legal Adviser (BMS) Balakrupi, P.O. Jalpehar, Tehsil Joginder-nagar, District Mandi (H P) Vs. The Divisional Forest Officer, Nachan Forest Division at Gohar, District Mandi (H P) के मध्य नीचे विद् गद् विषय पर औद्योगिक विवाद है;

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4) के अधीन समझीता अधिकारी द्वारा प्रदान की गई लिमिट पर उक्त अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने के उपरान्त प्रयोहना-अरी ने निर्णय लिया है कि मामला अम न्यायालय/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है।

अतः हिमाचल प्रदेश सरकार द्वारा जारी अधिवचना मक्या 19-8/89-अम (नूत), दिनांक 7 मियम्बर, 1992 द्वारा प्रदान शक्तियों का प्रयोग करते हुए प्रयोहना-अरी, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के अधीन प्रदान शक्तियों का प्रयोग करते हुए एनद्द्वारा इस मामले को उक्त अधिनियम की धारा 7 के अधीन गठित अम न्यायालय/औद्योगिक अधिकरण, हिमाचल प्रदेश की नीचे व्याख्या किए गए विषय पर अधिनियम देने के लिए भेजा जाता है:—

"Whether the termination of services of (1) Shri Kishan Chand s/o Shri Mast Ram, (2) Shri Roshan Lal s/o Shri Soju Ram, (3) Shri Jhabe Ram s/o Shri Paras Ram workmen by the Divisional Forest Officer, Nachan Forest Division at Gohar, District

Mandi (H.P.) w.e.f. 8.3.2001 and 13.3.2004 as alleged by the workman without complying the provisions of the Industrial Disputes Act, 1947 is proper and justified? If not, what relief of service benefits and amount of compensation the above aggrieved workman is entitled to?"

दिनांक 1, 31 मार्च, 2000

संख्या 11/2/93 (नैच) आईडीसी/आ.प्र.वा.ग. संतोहराम-  
नारी की यह प्रतीति होती है कि Shri Jasvinder Singh s/o  
Shri Shyam Lal Village Thanda Tehsil  
Nalagarh, District Solan (H.P.) Is The Manu-  
ger, M/s L. K. Apperals Chawkiwala, Tehsil  
Nalagarh, District Solan (H.P.) के मध्य तीनों दिनों  
में नियम पर औद्योगिक विवाद है।

श्री औद्योगिक विवाद समिति, 1947 की धारा 12(1) के  
अधीन मजदूरी समिति द्वारा प्रत्यक्ष की गई रिपोर्ट पर उक्त  
समिति की धारा 10 की उप धारा 4 के अधीन विचार करने के  
उपरांत संतोहरामनारी ने निर्णय दिया है कि मांगता नम  
आपातन/औद्योगिक समिति की समिति के दिनों सेवानिवृत्त है।

अन- हिमाचल प्रदेश सरकार द्वारा जारी समित्युक्त संख्या  
10.8/80 अ. (नैच), दिनांक 7 मिनट, 1993 द्वारा प्रत्यक्ष  
कर्मियों का प्रतीति करने हुए संतोहरामनारी औद्योगिक विवाद  
समिति, 1947 (1947 का 14) की धारा 10 की उप धारा (1)  
के अधीन प्रत्यक्ष कर्मियों का प्रतीति करने हुए प्रत्यक्ष इस  
मांगते की उक्त समिति की धारा 7 के अधीन प्रतीति नम  
आपातन/औद्योगिक समिति, हिमाचल प्रदेश की तीन आख्या  
दिनों में समिति के दिनों सेवानिवृत्त है।

Whether the termination of services of Shri  
Jasvinder Singh s/o Shri Shyam Lal workman by  
the Manager, M/s L. K. Apperals, Chawkiwala,  
Tehsil Nalagarh, District Solan (H.P.) w.e.f.  
8.3.2001 without complying the provisions of the  
Industrial Disputes Act, 1947 is proper and just-  
ified? If not, what relief of service benefits and  
amount of compensation the above aggrieved work-  
man is entitled to?"

दिनांक 1, 31 मार्च, 2000

संख्या 11/2/93 (नैच) आईडीसी/आ.प्र.वा.ग. संतोहराम-  
नारी की यह प्रतीति होती है कि Shri Parkash Chand s/o Shri  
Panchi Pann House No 1000/3 near Railway  
Post House, Wharf Nagar Kalka, Haryana Is  
The Managing Director, M/s Micro Tunes Village  
Narival Sector 4, Patwara, District Solan (H.P.) के मध्य तीनों दिनों  
में नियम पर औद्योगिक विवाद है।

श्री औद्योगिक विवाद समिति, 1947 की धारा 12(1) के  
अधीन मजदूरी समिति द्वारा प्रत्यक्ष की गई रिपोर्ट पर उक्त  
समिति की धारा 10 की उप धारा 4 के अधीन विचार करने के  
उपरांत संतोहरामनारी ने निर्णय दिया है कि मांगता नम  
आपातन/औद्योगिक समिति की समिति के दिनों सेवानिवृत्त है।

अन- हिमाचल प्रदेश सरकार द्वारा जारी समित्युक्त संख्या  
10.8/80 अ. (नैच), दिनांक 7 मिनट, 1993 द्वारा प्रत्यक्ष  
कर्मियों का प्रतीति करने हुए संतोहरामनारी औद्योगिक विवाद  
समिति, 1947 (1947 का 14) की धारा 10 की उप धारा (1)  
के अधीन प्रत्यक्ष कर्मियों का प्रतीति करने हुए प्रत्यक्ष इस  
मांगते की उक्त समिति की धारा 7 के अधीन प्रतीति नम  
आपातन/औद्योगिक समिति, हिमाचल प्रदेश की तीन आख्या  
दिनों में समिति के दिनों सेवानिवृत्त है।

Whether the termination of services of Shri Parkash  
Chand s/o Shri Panchi Pann workman by the  
Managing Director, M/s Micro Tunes Village  
Narival, Sector 4, Patwara, District Solan (H.P.)

w.e.f. 8.3.2001 without complying the provisions  
of the Industrial Disputes Act, 1947 is proper and  
justified? If not, what relief of service benefits and  
amount of compensation the above aggrieved work-  
man is entitled to?"

दिनांक 17/10/01, 31 मार्च, 2000

संख्या 11/2/93 (नैच) आईडीसी/आ.प्र.वा.ग. संतोहराम-  
नारी की यह प्रतीति होती है कि Shri Lal Bahadur Thapa  
s/o Shri Lal Bahadur Thapa, Thakur Dawara,  
Mahalla Kuli Mata Mandir, Kalka, Haryana  
Is M/s M.L. Micro L. K. Infosol, Plot No. 62,  
Sector 5, Patwara, District Solan (H.P.) के मध्य तीनों दिनों  
में नियम पर औद्योगिक विवाद है।

श्री औद्योगिक विवाद समिति, 1947 की धारा 12(1) के  
अधीन मजदूरी समिति द्वारा प्रत्यक्ष की गई रिपोर्ट पर उक्त  
समिति की धारा 12 की उप धारा (8) के अधीन विचार करने के  
उपरांत संतोहरामनारी ने निर्णय दिया है कि मांगता नम  
आपातन/औद्योगिक समिति की समिति के दिनों सेवानिवृत्त है।

अन- हिमाचल प्रदेश सरकार द्वारा जारी समित्युक्त संख्या 10.8/  
80 अ. (नैच), दिनांक 7 मिनट, 1993 द्वारा प्रत्यक्ष कर्मियों का  
प्रतीति करने हुए संतोहरामनारी औद्योगिक विवाद समिति, 1947  
(1947 का 14) की धारा 10 की उप धारा (1) के अधीन प्रत्यक्ष  
कर्मियों का प्रतीति करने हुए प्रत्यक्ष इस मांगते की उक्त  
समिति की धारा 7 के अधीन प्रतीति नम आपातन/औद्योगिक  
समिति, हिमाचल प्रदेश की तीन आख्या दिनों में नियम पर  
समिति के दिनों सेवानिवृत्त है।

Whether the termination of services of Shri Lal  
Bahadur Thapa s/o Shri Lal Bahadur Thapa work-  
man by the Managing Director, M/s M.L. Micro  
L. K. Infosol Ltd., Plot No. 62, Sector 5, Patwara,  
District Solan (H.P.) w.e.f. 10.3.2001 without  
complying the provisions of the Industrial Disputes  
Act, 1947 is proper and justified? If not, what relief  
of service benefits and amount of compensation the  
above aggrieved Workman is entitled to?"

दिनांक 17/10/01, 31 मार्च, 2000

संख्या 11/1/88 (नैच) आईडीसी/आ.प्र.वा.ग. संतोहराम-  
नारी की यह प्रतीति होती है कि Shri Lal Singh s/o Shri  
Harandu Ram, Village Bari Rasaur, P.O. & Tehsil  
Naragarh, District Ambala, Haryana Is  
M/s Pragati Papers Ltd. Village Khairi,  
Tehsil Naraur, Kala Amb, Tehsil Naraur,  
District Sirsa (H.P.) के मध्य तीनों दिनों  
में नियम पर औद्योगिक विवाद है।

श्री औद्योगिक विवाद समिति, 1947 की धारा 12(1) के  
अधीन मजदूरी समिति द्वारा प्रत्यक्ष की गई रिपोर्ट पर उक्त  
समिति की धारा 12 की उप धारा (8) के अधीन विचार करने के  
उपरांत संतोहरामनारी ने निर्णय दिया है कि मांगता नम  
आपातन/औद्योगिक समिति की समिति के दिनों सेवानिवृत्त है।

अन- हिमाचल प्रदेश सरकार द्वारा जारी समित्युक्त संख्या  
10.8/80 अ. (नैच), दिनांक 7 मिनट, 1993 द्वारा प्रत्यक्ष  
कर्मियों का प्रतीति करने हुए संतोहरामनारी औद्योगिक विवाद  
समिति, 1947 (1947 का 14) की धारा 10 की उप धारा (1)  
के अधीन प्रत्यक्ष कर्मियों का प्रतीति करने हुए प्रत्यक्ष इस  
मांगते की उक्त समिति की धारा 7 के अधीन प्रतीति नम  
आपातन/औद्योगिक समिति, हिमाचल प्रदेश की तीन आख्या  
दिनों में समिति के दिनों सेवानिवृत्त है।

Whether the termination of services of Shri Lal  
Singh s/o Shri Harandu Ram workman by the  
M/s Pragati Papers Industries Limited, Kala Amb,  
District Sirsa (H.P.) w.e.f. 8.11.2001 without  
complying the provisions of the Industrial Disputes  
Act, 1947 is proper and justified? If not, what  
relief of service benefits and amount of compensa-  
tion the above aggrieved workman is entitled to?"

दिनांक 1, 21 मार्च, 1968

दिनांक 1, 21 मार्च, 1968

संख्या 11/2/93 (चैत्र) साईन सी/08 नावापर, यमोदरा  
श्री को गद वकील होना है कि Smt Neelam Devi w/o  
Sri Rameshwar Singh c/o Sri Ramjan Mohd  
Village Basola, P.O. Ludhi Majra, Tehsil  
Nalagarh, District Solan (H.P.) Ex. M/s. K. K.  
Apparels, Chowkiwala, Tehsil Nalagarh, Dis-  
trict Solan (H.P.) के पद नीचे दिए गए विषय पर औद्योगिक  
विवाद है :

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4)  
के अन्तर्गत मजदूरों का अधिकार है कि वे सर्वोच्च न्यायालय  
अथवा उच्च न्यायालय की धारा 12 की धारा 5 के अन्तर्गत विवाद करने के  
समय मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

यह विभाजन प्रश्न सरकार द्वारा जारी अधिनियम संख्या  
10/8/68 (चैत्र), दिनांक 7 मिनट, 1968 द्वारा मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

"Whether the termination of services of Smt  
Neelam Devi w/o Sri Rameshwar Singh workman  
by the Management of M/s K. K. Apparels,  
Chowkiwala, Nalagarh District Solan (H.P.)  
w.e.f. 17-3-1968 without complying the provisions  
of the Industrial Disputes Act, 1947 is proper and  
justified? If not, what relief of service benefits and  
amount of compensation the above aggrieved work-  
man is entitled to?"

दिनांक 1, 21 मार्च, 1968

संख्या 11/2/93 (चैत्र) साईन सी/08 नावापर, यमोदरा  
श्री को गद वकील होना है कि Smt Hasina Begum w/o  
Shri Shamshad Ali c/o Sri Ramjan Mohd  
Village Basola, P.O. Ludhi Majra, Tehsil  
Nalagarh, District Solan (H.P.) Ex. M/s. K. K.  
Apparels Chowkiwala, Tehsil Nalagarh, Dis-  
trict Solan (H.P.) के पद नीचे दिए गए विषय पर  
औद्योगिक विवाद है :

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4)  
के अन्तर्गत मजदूरों का अधिकार है कि वे सर्वोच्च न्यायालय  
अथवा उच्च न्यायालय की धारा 12 की धारा 5 के अन्तर्गत विवाद करने के  
समय मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

यह विभाजन प्रश्न सरकार द्वारा जारी अधिनियम संख्या  
10/8/68 (चैत्र), दिनांक 7 मिनट, 1968 द्वारा मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

"Whether the termination of services of Smt  
Hasina Begum w/o Shri Shamshad Ali workman by  
the M/s K. K. Apparels Chowkiwala, Tehsil Nal-  
agarh District Solan (H.P.) w.e.f. 17-3-1968  
without complying the provisions of the Industrial  
Disputes Act, 1947 is proper and justified? If  
not, what relief of service benefits and amount of  
compensation the above aggrieved workman is  
entitled to?"

संख्या 11/8/82 (चैत्र) साईन सी/08 नावापर, यमोदरा  
श्री को गद वकील होना है कि Smt Chandan Devi Sri  
Simet Ravi, Block No. 23, Set No. 26, D.S.  
Club, Shimla 171001 Ex. The Executive Engi-  
neer, H.P.W.D. Division No. 3, Winter Field,  
Shimla 171001 (H.P.) के पद नीचे दिए गए विषय पर  
औद्योगिक विवाद है :

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4)  
के अन्तर्गत मजदूरों का अधिकार है कि वे सर्वोच्च न्यायालय  
अथवा उच्च न्यायालय की धारा 12 की धारा 5 के अन्तर्गत विवाद करने के  
समय मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

यह विभाजन प्रश्न सरकार द्वारा जारी अधिनियम संख्या  
10/8/68 (चैत्र), दिनांक 7 मिनट, 1968 द्वारा मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

"Whether the termination of services of Smt  
Chandan Devi Sri Simet Ravi workman by the  
Executive Engineer, H.P.W.D. Division No. 3,  
Winter Field Shimla 171001 without  
complying the provisions of the Industrial Disputes  
Act, 1947 is proper and justified? If not, what relief  
of service benefits and amount of compensation the  
above aggrieved workman is entitled to?"

दिनांक 1, 21 मार्च, 1968

संख्या 11/1/86 (चैत्र) साईन सी/08 नावापर, यमोदरा  
श्री को गद वकील होना है कि Sri Salim Ahmad, General  
Secretary, Nahar Foundry Mazdoor Panchayat  
Union, Nahar, District Sirmour (H.P.) Ex.  
The Executive Engineer, H.P.W.D. &  
I.P.H. State Workshop (Nahar Foundry), Nahar,  
District Sirmour (H.P.) के पद नीचे दिए गए विषय पर  
औद्योगिक विवाद है :

और औद्योगिक विवाद अधिनियम, 1947 की धारा 12(4)  
के अन्तर्गत मजदूरों का अधिकार है कि वे सर्वोच्च न्यायालय  
अथवा उच्च न्यायालय की धारा 12 की धारा 5 के अन्तर्गत विवाद करने के  
समय मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

यह विभाजन प्रश्न सरकार द्वारा जारी अधिनियम संख्या 10/8/68  
(चैत्र), दिनांक 7 मिनट, 1968 द्वारा मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए  
मजदूरों के हितों के लिए है कि मजदूरों को मजदूरों के हितों के लिए

"Whether the demand of ad-hoc demand notice  
dated 13-1-1968 by the General Secretary, Nahar  
Foundry Mazdoor Panchayat Union, Nahar before  
the Executive Engineer, H.P.W.D. & I.P.H.  
State Workshop (Nahar Foundry), Nahar concern-  
ing to 15 unskilled workmen (list enclosed) to  
promote them as semi-skilled workmen against  
vacant post of 7 1-10-1968 in the pay scale Rs.  
900-1800 is legal and justified? If so, what designa-  
tion, scale and rebet the concerned workmen from  
the employer are entitled to?"

दिनांक-1, 31 मार्च, 2006

दिनांक-1, 31 मार्च, 2006

संख्या 11-1/86 (नैब) धार्ड 0 वी 0/00-नाहन-—प्रमाणित-  
 शरी को यह प्रतीत होता है कि Shri Yasin Mohd. Village  
 Dhampur, P.O. Batamadi, Tehsil Paonta Sahib,  
 District Sirmour (H.P.) Vs. The Manager,  
 M/s Janak Palace Cinema, Trilokpur Road,  
 Kala Amb, District Sirmour (H.P.) के मध्य बीच  
 हुए गए हुए पर औद्योगिक विवाद है ;

यह औद्योगिक विवाद अधिनियम, 1947 की धारा 12 (4)  
 के अधीन समझौता अधिकांश द्वारा प्रवृत्त की गई रिपोर्ट पर उक्त  
 अधिनियम की धारा 12 की उप-धारा (5) के अधीन विचार करने  
 के उपरान्त प्रमाणित-शरी ने निर्णय दिया है कि मामला भ्रम-  
 व्यापक/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है ।

धन: हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या  
 19-8/89-भ्रम (नैब), दिनांक 7 मई, 1992 द्वारा प्रवृत्त  
 शर्तों का प्रयोग करते हुए प्रमाणित-शरी, औद्योगिक विवाद अधि-  
 नियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1)  
 के अधीन प्रवृत्त शर्तों का प्रयोग करते हुए एतद्वारा इस मामले  
 को उक्त अधिनियम की धारा 7 के अधीन गठित भ्रम व्यापक/  
 औद्योगिक अधिकरण, हिमाचल प्रदेश को भेजने व्याख्या किए गये  
 विवाद पर अधिनियम देने के लिए भेजा जाता है :—

"Whether the termination of services of  
 Shri Yasin Mohd. workman by the Manager, M/s  
 Janak Palace Cinema, Trilokpur Road, Kala Amb,  
 District Sirmour (H.P.) w. o. f. 21-11-2003 with-  
 out complying the provisions of the Industrial Dis-  
 putes Act, 1947 is proper and justified? If not,  
 what relief of service benefits and amount of com-  
 pensation the above aggrieved workman is entitled  
 to?"

संख्या 11-1/86 (नैब) धार्ड 0 वी 0/00-नाहन-—प्रमाणित-  
 को यह प्रतीत होता है कि The General Secretary, Mini-  
 sterial Staff Union, Nahana Foundry, Nahana,  
 District Sirmour (H.P.) Vs. The Executive En-  
 gineer, H.P.P.W.D. & I. & P.H. State Workshop  
 (Nahana Foundry), Nahana, District Sirmour,  
 (H.P.) के मध्य बीच हुए गए विवाद पर औद्योगिक विवाद है ;

यह औद्योगिक विवाद अधिनियम, 1947 की धारा 12 (4) के  
 अधीन समझौता अधिकांश द्वारा प्रवृत्त की गई रिपोर्ट पर उक्त  
 अधिनियम की धारा 12 की उप-धारा 5 के अधीन विचार करने के  
 उपरान्त प्रमाणित-शरी ने निर्णय दिया है कि मामला भ्रम-  
 व्यापक/औद्योगिक अधिकरण को अधिनियम के लिए भेजने योग्य है ।

धन: हिमाचल प्रदेश सरकार द्वारा जारी अधिसूचना संख्या 19-  
 8/89-भ्रम (नैब), दिनांक 7 मई, 1992 द्वारा प्रवृत्त शर्तों  
 का प्रयोग करते हुए प्रमाणित-शरी औद्योगिक विवाद अधिनियम,  
 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के  
 अधीन प्रवृत्त शर्तों का प्रयोग करते हुए एतद्वारा इस मामले  
 को उक्त अधिनियम की धारा 7 के अधीन गठित भ्रम व्यापक/  
 औद्योगिक अधिकरण, हिमाचल प्रदेश को भेजने व्याख्या किए गए  
 विवाद पर अधिनियम देने के लिए भेजा जाता है :—

"Whether the demand raised by the General Secre-  
 tary, Ministerial Staff Union, Nahana Foundry,  
 Nahana before the Executive Engineer, H.P.P.W.D.  
 and I. & P.H. State Workshop (Nahana Foundry)  
 Nahana that Shri Prem Pal Singh, Daftri be either  
 promoted as Canteen Salesman or Clerk in the pay  
 scale of Rs. 950-1800 w. o. f. 1-10-1988 is legal and  
 justified? If yes, to what designation, grade and  
 relief the concerned workman is entitled to? If not  
 its legal effects?"

हस्ताक्षरित/-  
 अध्यापक ।

भाग-4 स्थानीय स्वायत्त शासन, व्यक्तिगत चोर्ड, डिस्ट्रिक्ट चोर्ड, नोटिफाईड और टाऊन एरिया तथा पंचायती राज विभाग

-न्यू-

### भाग 5--व्यक्तिगत अधिसूचनाएं और विज्ञापन

न्यायालय उप-मण्डल दण्डाधिकारी, भटियाल (चुवाडी), जिला चम्बा,  
 हिमाचल प्रदेश

सजय कुमार पुत्र श्री पूर्ण चन्द, निवासी गांव तकीरा, तहसील  
 भटियाल, जिला चम्बा, हिमाचल प्रदेश

नाम

ग्राम जनता

नाम दुस्मो हेतु प्राप्ति-पत्र ।

भी सजय कुमार उपा ने एक प्राप्ति-पत्र भ्रम हस्ताक्षरित गति  
 प्रस्तुत करके प्राप्ति की है कि उसका सही नाम सजय कुमार है  
 किन्तु गवर्नी ने पंचायत रिकार्ड कमीशन जेट में सजय कुमार  
 पुत्र श्री दन है जो कि गलत है । सही नाम सजय कुमार दन  
 करने के बाद ही जारी किया जाय ।

निर्वाह गवर्नाधारण जनता को इस हस्ताक्षरित द्वारा सूचित किया  
 जाता है कि उपर्युक्त सही नाम सजय कुमार पुत्र पूर्ण चन्द दर्ज  
 करने वाले किसी को कोई हस्तक्षेप हो तो वह अपना हस्तक्षेप  
 दिनांक 16-5-2006 को या इससे पूर्व प्रमाणित या प्रमाणित  
 हाजर नोट कर इस न्यायालय में प्रस्तुत करे अन्यथा सही नाम दर्ज  
 करने के बाद ही जारी कर दिये जायेंगे ।

धार्ड दिनांक 12-4-2006 को मेरे हस्ताक्षर व मोहर प्रदान  
 से जारी हुआ ।

मोहर ।

हस्ताक्षरित/-

उप-मण्डल दण्डाधिकारी,  
 भटियाल (चुवाडी), जिला चम्बा,  
 हिमाचल प्रदेश ।

In the Court of Shri Rakesh Verma, H. A. S., Sub-  
 Divisional Magistrate, Chowal, District Chamba  
 Himachal Pradesh

PROCLAMATION under Order 5, Rule, 20 C. P. C.  
 Application under Section 13 (3) of Birth and Death  
 Registration Act, 1969.

Whereas, Sh. Amar Singh son of Shri Sant Ram,  
 r/o Aled Pan, Chuhua Tensil Bhutiyal, District  
 Chamba has filed an affidavit regarding the regis-  
 tration of date of birth 29-10-2001 and name Surjeet  
 Singh of his grand son in the Panchayat records  
 Jyanta.

Hence this proclamation is issued to the general  
 public, if any objection/claim regarding the registra-  
 tion of entry of date of birth, he may file his claim/objection  
 on or before 16-5-2006, in this Court, failing which  
 the necessary orders will be passed to the concerned  
 Gram Panchayat for registration.

(Given today under my signature and seal of the Court.

Seal

RAKESH VERMA,  
Sub-Divisional Magistrate,  
Chowari, District Chamba,  
Himachal Pradesh.

ब अदायत श्री मजीब नर्मा, तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा, हिमाचल प्रदेश

श्री जगदीश नन्द पुत्र श्री मान चन्द, निवासी गांव खिरा, परगना  
महान, तहसील इलहोजी, जिला चम्बा, हिमाचल प्रदेश प्राप्ति ।

बनाम

ग्राम जनता

प्रत्यार्थीगण ।

प्राथना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण  
प्रधिनियम, 1969.

उपरोक्त प्रार्थी ने अधोहस्ताक्षरी की अदालत में प्राथना-पत्र मय  
व्यान हल्की इस आशय से गुजारा है कि प्रार्थी की पुत्री मयना देवी  
की जन्म तिथि 28-3-2001 है लेकिन ग्राम पंचायत के जियुन्ता  
के परिवार रजिस्टर व जन्म रजिस्टर में जन्म तिथि दर्ज न है ।  
जिसे दर्ज किया जावे ।

इस सम्बन्ध में सर्वसाधारण को बजरिया इस्तहार सूचित किया  
जाता है कि प्रार्थी की पुत्री की जन्म तिथि ग्राम पंचायत  
जियुन्ता के रिकार्ड में दर्ज करने पर यदि किसी को कोई उजर/  
एतराज हो तो वह दिनांक 15-5-2006 को अदालत या बकायतन  
हाजिर होकर अपना एतराज दर्ज करवा सकता है ।  
हाजिर न आने की सूरत में जन्म तिथि दर्ज करने  
के आदेश दे दिये जायेंगे ।

आज दिनांक 13-4-2006 को मेरे हस्ताक्षर व अदालत मोहर  
से जारी हुआ ।

मोहर ।

सजीब नर्मा,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा (हि० प्र०) ।

ब अदायत श्री मजीब नर्मा, तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा, हिमाचल प्रदेश

श्री चमक राम पुत्र श्री मन्गी राम, निवासी गांव दुडियाग, डाकघर  
बन्नी, तहसील इलहोजी, जिला चम्बा, हिमाचल प्रदेश प्राप्ति ।

बनाम

ग्राम जनता

प्रत्यार्थीगण ।

प्राथना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण  
प्रधिनियम, 1969.

उपरोक्त प्रार्थी ने अधोहस्ताक्षरी की अदालत में प्राथना-पत्र  
मय व्यान हल्की इस आशय से गुजारा है कि उसकी सौनसी मां  
श्रीमती मोधा, जो प्रार्थी के माय रहती थी, का देहावत  
दिनांक 27-2-2005 को हो चुका है लेकिन उनकी मृत्यु तिथि ग्राम  
पंचायत जियुन्ता के रिकार्ड में दर्ज न है । जिसे दर्ज किया जावे ।

इस सम्बन्ध में सर्वसाधारण को बजरिया इस्तहार सूचित  
किया जाता है कि प्रार्थी की सौनसी मां श्रीमती मोधा की मृत्यु ग्राम  
पंचायत जियुन्ता के रिकार्ड में दर्ज करने पर यदि किसी को कोई उजर/  
एतराज हो तो वह दिनांक 15-5-2006 को अदालत या बकायतन  
हाजिर अधोहस्ताक्षरी होकर अपना एतराज दर्ज करवा सकता है ।  
हाजिर न आने की सूरत में मृत्यु तिथि दर्ज करने के आदेश दे  
दिये जायेंगे ।

आज दिनांक 13-4-2006 को मेरे हस्ताक्षर व अदालत मोहर  
से जारी हुआ ।

मोहर ।

सजीब नर्मा,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा, हिमाचल प्रदेश ।

ब अदायत श्री मजीब नर्मा, तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा, हिमाचल प्रदेश

श्री देव राज पुत्र श्री येनासी राम, निवासी गांव बाक, मुआल  
कल्लर, तहसील इलहोजी, जिला चम्बा (हि० प्र०) प्राप्ति ।

बनाम

ग्राम जनता

प्रत्यार्थीगण ।

प्राथना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण  
प्रधिनियम, 1969.

उपरोक्त प्रार्थी ने अधोहस्ताक्षरी की अदालत में प्राथना-पत्र  
मय व्यान हल्की इस आशय से गुजारा है कि उसके बेटे देवेन्द्र कुमार  
की जन्म तिथि 30-5-2000 है लेकिन ग्राम पंचायत मोरनू के  
रजिस्टर में दर्ज न है । जिसे दर्ज किया जावे ।

इस सम्बन्ध में सर्वसाधारण को बजरिया इस्तहार सूचित  
किया जाता है कि प्रार्थी के बेटे की जन्म तिथि ग्राम पंचायत मोरनू  
के जन्म रजिस्टर में दर्ज करने पर यदि किसी को कोई उजर/  
एतराज हो तो वह दिनांक 15-5-2006 को अदालत या बकायतन  
हाजिर अधोहस्ताक्षरी होकर अपना एतराज दर्ज करवा सकता है ।  
हाजिर न आने की सूरत में जन्म तिथि दर्ज करने के आदेश दे  
दिये जायेंगे ।

आज दिनांक 13-4-2006 को मेरे हस्ताक्षर व अदालत मोहर  
से जारी हुआ ।

मोहर ।

सजीब नर्मा,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा (हि० प्र०) ।

ब अदायत श्री मजीब नर्मा, तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा, हिमाचल प्रदेश

श्री गोविन्द प्रसाद पुत्र श्री मदानंद, निवासी गांव व डाकघर  
बनीबेन, तहसील इलहोजी, जिला चम्बा, हिमाचल प्रदेश प्राप्ति ।

बनाम

ग्राम जनता

प्रत्यार्थीगण ।

प्राथना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण  
प्रधिनियम, 1969.

उपरोक्त प्रार्थी ने अधोहस्ताक्षरी की अदालत में प्राथना-पत्र  
मय व्यान हल्की इस आशय से गुजारा है कि उसके पुत्र केशव  
की जन्म तिथि 1-5-2001 है जोकि ग्राम पंचायत बनीबेन के  
रिकार्ड में दर्ज न है । जिसे दर्ज किया जावे ।

इस सम्बन्ध में सर्वसाधारण को बजरिया इस्तहार सूचित किया  
जाता है कि प्रार्थी के पुत्र की जन्म तिथि ग्राम पंचायत बनीबेन के  
रिकार्ड में दर्ज करने पर यदि किसी को कोई उजर व एतराज  
हो तो वह दिनांक 12-5-2006 को अदालत या बकायतन  
अदालत अधोहस्ताक्षरी होकर अपना एतराज दर्ज करवा सकता है ।  
हाजिर न आने की सूरत में जन्म तिथि दर्ज करने के आदेश दे  
दिये जायेंगे ।

आज दिनांक 13-4-2006 को मेरे हस्ताक्षर व अदालत मोहर  
से जारी हुआ ।

मोहर ।

सजीब नर्मा,  
तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
इलहोजी, जिला चम्बा (हि० प्र०) ।

ब अदालत श्री रामशेर सिंह, सहायक समाह्वी द्वितीय श्रेणी, सिपूता, जिला चम्बा, हिमाचल प्रदेश

श्री बाबू राम पुत्र श्री जस्ता, निवासी बग्गा, डाकघर बाथला, उप तहसील सिपूता, जिला चम्बा, हिमाचल प्रदेश।

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

श्री बाबू राम पुत्र श्री जस्ता, निवासी बग्गा, डाकघर बाथला, उप तहसील सिपूता, जिला चम्बा ने इस अदालत में प्राथनापत्र पेश किया है कि उसके लड़के सुरज सिंह का जन्म 1-7-1999 का हुआ है लेकिन ग्राम पंचायत के अभिलेख में दर्ज नहीं है।

अतः सर्वसाधारण का बजटिया इशतहार सूचित किया जाता है कि उक्त सुरज सिंह की जन्म तिथि 1-7-1999 दर्ज करने बाबू किसी व्यक्ति का कोई एतराज हो तो वह अपना उजर/एतराज इसानतन या वकीलतन दिनांक 15-5-2006 को प्रातः 10 बजे हाजर अदालत भाकर पेश कर सकते हैं अन्यथा एकतरफा कार्यवाही अमल में लाई जायेगी और सुरज सिंह पुत्र बाबू राम का नाम व जन्म तिथि पंचायत अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-4-2006 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

रामशेर सिंह,  
सहायक समाह्वी द्वितीय श्रेणी,  
सिपूता, जिला चम्बा, हिमाचल प्रदेश।

ब अदालत श्री रामशेर सिंह, सहायक समाह्वी द्वितीय श्रेणी, सिपूता जिला चम्बा, हिमाचल प्रदेश

परसा उर्फ परस राम पुत्र जीता, निवासी मैहली, महाल अधवाड़, ग्राम पंचायत समाट, उप-तहसील सिपूता, जिला चम्बा।

बनाम

आम जनता

विषय—प्राथनापत्र नाम दर्स्ती बारे।

उपराक्त प्राणी ने अग्रहस्ताक्षरी को अदालत में प्राथनापत्र मय न्याय हल्ली इस आशय से पेश किया है कि उसका नाम पंचायत रिकार्ड में परस राम दर्ज है तथा राजस्व अभिलेख में परसा दर्ज है। प्राणी राजस्व अभिलेख में अपने नाम की दूहरसी परसा उर्फ परस राम के रूप में करवाना चाहता है।

अतः इस इशतहार के माध्यम से सर्वसाधारण जनता को सूचित किया जाता है कि प्राणी के नाम परसा उर्फ परस राम पुत्र जीता किय जाने वाले कोई एतराज हो तो वह दिनांक 15-5-2006 को हमारी अदालत में हाजिर आकर अपना उजर/एतराज पेश पेश कर सकते हैं। उजर एतराज प्रस्तुत न करने की मृत में उपराक्त नाम दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 10-4-2006 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

रामशेर सिंह,  
सहायक समाह्वी द्वितीय श्रेणी,  
सिपूता, जिला चम्बा, हिमाचल प्रदेश।

ब अदालत श्री आर. के. प्रवी, मैरिज ऑफिसर एवं उप-मण्डल वरिष्ठाधिकारी, हमीरपुर, जिला हमीरपुर, हिमाचल प्रदेश

1. श्री रिक. अ. 23 वर्ष सपुत्र श्री काजी दाम, गांव धनाट, डा. करोट, तहसील भुमनपुर, जिला हमीरपुर।

2. आभता रखा कुमारी उम्र 22 वर्ष सपुत्री श्री पृथ्वी पाल, गांव श्री हरगोविन्दपुर, डा. धुमन, तहसील बटाना, जिला गुरदासपुर (पा. 410)।

बनाम

आम जनता

प्राथनापत्र अधीन धारा 16 ऑफ स्पेशल मैरिज ऐक्ट, 1954 के अन्तर्गत शादी पंजीकरण बारे।

उपराक्त मुकद्दमा में श्री रिक. व आभता रखा कुमारी ने दिनांक 20-8-2005 का हिन्दू रीति रिवाज अनुसार बाबा बालक कृष्ण मंदिर में शादी कर ली है जिसे स्पेशल मैरिज ऐक्ट, 1954 के अन्तर्गत पंजीकृत किया जाता है।

अतः आम जनता एवं रिश्तेदारों को इस इशतहार द्वारा सूचित किया जाता है कि उक्त शादी पंजीकरण करने वाले किसी व्यक्ति का कोई उजर या एतराज हो तो वह दिनांक 15-5-2006 को सुबह 10.00 बजे या इससे पहले इसानतन या वकीलतन हाजिर अदालत होकर पेश कर अन्यथा शादी पंजीकरण करने वाले आगामी कार्यवाही अमल में लाई जायेगी।

आज दिनांक 2-3-2006 को मेरे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

आर. के. प्रवी,

मैरिज ऑफिसर।

उप-मण्डल वरिष्ठाधिकारी, हमीरपुर,  
जिला हमीरपुर, हिमाचल प्रदेश।

ब अदालत श्री रामशेर सिंह, सहायक समाह्वी द्वितीय श्रेणी, बेंजनाथ तहसील बेंजनाथ, जिला कांगड़ा, हिमाचल प्रदेश

कैस नम्बर. 11/NT/05

उनवान : तकसीम भूमि

पम्बा देवी पुत्री नारायण दास विधवा फकीर चन्द, वासी नगरोटा, तहसील व जिला कांगड़ा बजरीया मुख्यालय ग्राम मिनजानिब विजय पाल पुत्र फकीर चन्द, वासी नगरोटा, तहसील व जिला कांगड़ा प्राचीन।

बनाम

1. रमेश चन्द पुत्र धनन्त राम, वासी कोटली, मोजा बीड़, तहसील बेंजनाथ, जिला कांगड़ा, 2. सुरिन्द्र मोहन पुत्र वेद प्रकाश, वासी कोटली, मोजा बीड़, तहसील बेंजनाथ, जिला कांगड़ा प्रतिवादीगण।

तकसीम भूमि आना नं. 167, खतोना 310, खसमा 749, रकबा 0-21-20 है।, मूहाल कोटली, मोजा बीड़, तहसील बेंजनाथ, जिला कांगड़ा, हिमाचल प्रदेश।

उपराक्त मुकद्दमा तकसीम में प्रतिवादीगण को इस न्यायालय द्वारा समन जारी किये गए परन्तु तामील न हो सकी। अतः इस न्यायालय को यह विधवा हो गया है कि प्रतिवादीगण को तामील साराण तरीका से नहीं हो सकती है।

इसलिए इशतहार राजपल द्वारा अमल प्रतिवादीगण को सूचित किया जाता है कि वे दिनांक 15-5-2006 को इस मुकद्दमा की पेशी हेतु व्यक्तिगत रूप से या किसी अधिवक्ता के माध्यम से इस न्यायालय में उपस्थित आवे अन्यथा अनुपस्थिति की अवस्था में नियमानुसार कार्यवाही अमल में लाई जायेगी।

आज दिनांक 31-3-2006 को मेरे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

रामशेर,

सहायक समाह्वी द्वितीय श्रेणी,  
बेंजनाथ, जिला कांगड़ा (हि. प्र. 0)।



ब धराजत श्री रामराज, सहायक समाह्वी द्वितीय श्रेणी, बैजनाथ  
तहसील, बैजनाथ, जिला कांगड़ा, हिमाचल प्रदेश

ब धराजत श्री हेम चन्द ठाकुर, सहायक समाह्वी प्रथम श्रेणी एवं  
कार्यकारी दण्डाधिकारी, फतेहपुर, तहसील फतेहपुर, जिला कांगड़ा,  
हिमाचल प्रदेश

कस नं० - 53/N1/04

नवनीत नरसीम शर्म

कस नं० 1/1/10

तारीख पेजा 23-5-2006

1. भानिज कुमार, 2. मृगया चन्द, 3. मोहिन्दर पाल, 4. मनोज  
कुमार पुत्रान, श्री अनन्त राम उर्फ ग्याति राम, सभी निवासीगण पपराला,  
मोजा पपराला, तहसील बैजनाथ ।

श्री मर्ताबिन्द सिंह पुत्र श्री श्रीम सिंह, मकन हवलाल, तहसील  
फतेहपुर, जिला कांगड़ा (हि० प्र०)

बनाम

प्रतिवादी ।

बनाम

विषय, प्रायोजनापत्र नं० धारा 13 (3) जन्म एवं मृत्यु पंजीकरण  
धार्मिकनियम, 1969

1. बाका देवी पुत्री धनी राम व पत्नी श्री राजिन्दर मूढ, बासी  
पठिवार, तहसील धर्मशाना, जिला कांगड़ा (हि० प्र०) 2. पवन कुमार  
पुत्र प्यार चन्द मूढ, बासी भवारना, तहसील पालमपुर, 3. आशा पुत्र  
प्यार चन्द मूढ, बासी भवारना, तहसील पालमपुर, 4. राजिन्दर देवी  
विधवा सुरिन्द कुमार, बासी पपराला, तहसील बैजनाथ, 5. मन्जु देवी  
पत्नी सुरेश मूढ व पत्नी सुरिन्द कुमार, बासी पपराला, 6. मधु देवी  
पुत्री सुरिन्द कुमार पत्नी सुरेश कुमार, बासी काटल, तहसील फतेहपुर,  
7. भवानी देवी पुत्री सुरिन्द कुमार व पत्नी सुरेश कुमार, बासी नन्वा,  
जिला शिमला, 8. हिमाल देवी पत्नी सुरिन्द कुमार, बासी पपराला,  
तहसील बैजनाथ, 9. विमला देवी विधवा पुण चन्द, बासी पपराला,  
तहसील बैजनाथ, 10. पाना देवी मृतका के वारमान (i) अश्वय  
कुमार पुत्र कर्म चन्द, गांव व डा० पपराला, तहसील बैजनाथ,

11. चम्पा देवी मृतका के वारमान (i) चेतन उर्फ भाला राम  
पुत्र प्यार चन्द, बासी पपराला, तहसील बैजनाथ, (ii) अश्वय कुमार  
पुत्र कर्म चन्द, बासी पपराला, (iii) नवनीत कुमार पुत्र हेम राज,  
बासी राजपुर, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश,  
12. प्यार चन्द मृतक के वारमान (i) चेतन उर्फ भाला राम पुत्र  
प्यार चन्द, बासी पपराला, तहसील बैजनाथ, जिला कांगड़ा (हि० प्र०)  
13. हेम राज मृतक के वारमान (i) नवनीत पुत्र हेम राज,  
बासी राजपुर, तहसील पालमपुर, जिला कांगड़ा (हि० प्र०) 14. अश्वय  
कुमार पुत्र कर्म चन्द, 15. मन्जु देवी पुत्री कर्म चन्द, 16. चेतन  
उर्फ भाला राम पुत्र प्यार चन्द, सभी निवासीगण पपराला, तहसील  
बैजनाथ, 17. तिलक राज, 18. पिकू पुत्रान रतन चन्द, 19. घिया देवी पुत्री रतन  
चन्द, 20. ललिता देवी विधवा रतन चन्द सभी निवासीगण भवारना,  
तहसील पालमपुर, 21. मृतक ज्ञान चन्द के वारमान (i) हरिण  
चन्द पुत्र ज्ञान चन्द C/o ललिता देवी, बासी भवारना,  
तहसील पालमपुर, 22. मृतका धनी देवी के वारमान (i) भोकार  
चन्द मूढ, बासी बल्ल, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश,  
23. मृतका रामो देवी के वारमान (i) प्रभाद मूढ, बासी राजपुरा  
प्रत्याशंगण ।

नरसीम शर्म खाता नं० 118 खतीनी नं० 212, 213, 214,  
215, 216, 217, खसरा 938, 1194, 1195, 1193, 1193,  
931, 937, 1190, 1191, 1438/1091, 1140/1091, फिता  
11, रकबा 1-12-51 है०, मूहाल व भाजा पपराला, तहसील  
बैजनाथ ।

उपराजत मुकरमा नरसीम म प्रतिवादीगण का इन न्यायालय द्वारा  
समन जारी किए, मय परन्तु तामील न हो सकी । अतः इन न्यायालय  
का यह विश्वास हो गया है कि उपराजत प्रतिवादीगण की तामील  
साधारण तरीका से नहीं हो सकी ।

इसीलिये इन उपराजत राजपूत द्वारा समस्त प्रतिवादीगण का सूचित  
दिया जाता है कि वे धिनक 15-5-2006 का इन मुकरमा की  
पेरबी हेतु अत्यन्तगत रूप से या किसी धीधनकता के माध्यम से इस  
न्यायालय में उपस्थित यावे अन्यथा अनुपस्थिति की अवस्था में  
नियमानुसार कार्यवाही समल में लाई जायेगी ।

मात्र दिनांक 31-3-2006 का मर हस्ताक्षर व माहुर धराजत  
जारी किया गया ।

माहुर ।

रामजीत,

सहायक समाह्वी द्वितीय श्रेणी,  
बैजनाथ, जिला कांगड़ा, हिमाचल प्रदेश ।

माहुर ।

श्रीम राम भागद्वार,  
सहायक समाह्वी द्वितीय श्रेणी एवं  
कार्यकारी दण्डाधिकारी, फतेहपुर,  
जिला कांगड़ा, हिमाचल प्रदेश ।

अतः इन उपराजत राजपूत, हिमाचल प्रदेश द्वारा आम जनता  
का सूचित किया जाता है कि यदि किसी व्यक्ति का मृत्यु पुत्री  
पुत्री श्री मर्ताबिन्द सिंह की जन्म तिथि 5-3-2006 का आम पचायत  
हड़ताल के रिकार्ड में दर्ज करने में आपत्ति हो तो वह अनाथान या  
वकालतन धिनक 23-5-2006 का प्रातः 10.00 बजे होत्रि के कर  
घपना पतराज पेज कर सकता है अन्यथा उक्त जन्म तिथि आम  
पचायत हड़ताल में दर्ज करने के आदेश पारित कर दिए जायेंगे ।

मात्र दिनांक 22-4-2006 को मर हस्ताक्षर व माहुर धराजत  
से जारी हुआ ।

माहुर ।

हेम चन्द ठाकुर  
सहायक समाह्वी प्रथम श्रेणी  
एवं कार्यकारी दण्डाधिकारी, फतेहपुर,  
जिला कांगड़ा, हिमाचल प्रदेश ।

ब धराजत श्री बीर राम भागद्वार, सहायक समाह्वी द्वितीय श्रेणी  
एवं कार्यकारी दण्डाधिकारी, फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश

कस नं० 3/डा०

तारीख पेजा 11-5-2006

श्री मेहर उन्द पुत्र श्री धर्म चन्द मान मच्छाट, तहसील  
फतेहपुर, जिला कांगड़ा, हिमाचल प्रदेश

बनाम

आम जनता

प्रतिवादीगण ।

विषय प्रायोजनापत्र नं० धारा 13 (3) जन्म एवं मृत्यु पंजीकरण  
धार्मिकनियम, 1969

प्राची श्री मेहर चन्द पुत्र श्री धर्म चन्द मान मच्छाट, तहसील  
फतेहपुर, जिला कांगड़ा न प्रायोजनापत्र पेश किया है कि उसकी दादा  
समशी देवा पत्नी श्री कथा राम की मृत्यु दिनांक 25-9-1982 का आम  
पचायत मच्छाट, तहसील फतेहपुर में हुई थी परन्तु इन न मृत्यु तिथि  
आम पचायत मच्छाट के रिकार्ड में दर्ज न करवा सका है तथा दर्ज  
करने का प्रायना की है ।

अतः इन उपराजत राजपूत, हिमाचल प्रदेश द्वारा आम जनता  
का सूचित किया जाता है कि यदि किसी व्यक्ति का मृत्यु देवी  
पत्नी श्री कथा राम की मृत्यु दिनांक 25-9-1982 का आम  
पचायत रिकार्ड में दर्ज करने में आपत्ति हो तो वह अनाथान या  
वकालतन धिनक 11-5-2006 को सुबह 10.00 बजे होत्रि के कर  
घपना पतराज पेज कर सकता है अन्यथा उक्त मृत्यु तिथि आम  
पचायत मच्छाट में दर्ज करने के आदेश पारित कर दिए जायेंगे ।

मात्र दिनांक 10-4-2006 का मर हस्ताक्षर व माहुर धराजत  
से जारी हुआ ।

४ ध्यानाधीन श्रीजीग राग भाग्यराज, सहायक संगीतज्ञ श्रीगोपी प्रसाद  
कांतिकारी बगवतिश्रीकांती, गायिका, जिला रागदा (हिंदी पद्य) ।

३. भवभार (पंजाबी) बंधुभाषिकारी, तथा गणनीय प्राधिकांगी,  
मित्रा कांगरा, मित्रा बन्धु प्रवेश

वे.म.नं० २/पी०/०८

मार्गशु शुद्धी ११-५-२००४

[illegible]

विषयः कृष्णहारा शायन मण्डपरी मन्त्रादी ।

श्री गणेशाय नमः अथवा पृष्ठ १०१

पार्षदा-पत्र के भाग १३ (१) जगन्नाथ मठ मन्त्रीकरण अधिनियम,  
१९८९.

## समाप्त

याम नन ॥ परिभाषागण ।

विषय पाठन-पत्र और भाग १३ (३) अंगूठे मध्य तकिकरण  
परिनिष्पत्ति, १९८९,

पापों की श्रेण पात पत्र श्री हरी लक्ष्म, माकन पानी, महमीन कौतार, जिना कंगडा मे प्रायस्तापत पंश किया है कि गगने लक्ष्म का जन्म दिनांक 17-11-2000 को पाप पत्रमी, महमीन कंगडार में हुआ था पापत पत्रमी जन्म निधि पास पंसायत तवावा के शिकारे में - ने न कम्पा सका है तथा दर्ज करने की प्रायस्ता पी है।

भा. कम. इन्टरनल राजपत्र, हिमाचल प्रदेश द्वारा आम जनता को सूचित किया जाता है कि परि किमी. अक्षांश को कार्गिल सर्ग्री मुक्त की गयी मात्र की कम निधि 17-11-2000 को आम पंचायत फिकाई में वृत्त करने में शामिल हो गो यह पंचायत या वृत्तपंचायत दिनांक 11-5-2008 का मुद्दा 10.00 वृत्त हाथर धाकर पंचायत द्वारा वृत्त कर सकता है अर्थात् आम जनता निधि आम पंचायत जखारा में वृत्त करने के पक्ष में पंचायत हर निर्माण में।

प्राप्त दिनांक 10-4-2006 को ये प्रस्तावना त मोहर पत्रालय में जारी हुआ।

मोहर ।

जै० आर० भारद्वाज,  
सहायक समाह्वी त्रितीय श्रेणी एवं  
कांकाड़ी वाड्याधिकारी, फतेहपुर,  
जिला कांगड़ा, हिमाचल प्रदेश।

ब धनान्न श्री धोसाय मास कर्मा, नागव नृधर्मसिद्धात् एवं महाय  
ममाहवा विनोय श्रेणी, गार्वागिणी, तिला कोकडा (हि ० प ०)

उपस्थित सदस्यों के नाम : श्री. अ. अ. शर्मा  
16-5-2006

श्री ब्रमाक राम उक्तं पोनी राम भूत श्री गन्त राम बामी गन्धर्व,  
मोना पगोह न नदमीन दार बकिता ।

**बनाप**

ਸਾਧ ਜਨਨਾ

भी बचाना नाम ही सातों नाम गणपति श्री गणेश नाम, वार्ता मुखर, मोता प्रणीत, उप-हमन शारदाकिरी। इस प्रधानत में प्रार्थना गुरु विरा है कि उनका नाम शत्रुस्थिच्छाई एवं पापस्थिच्छाई से बचनी में बचाना नाम ही हो गया है यह मुख्य करने के बाद शिवा जी।

इस इच्छाका द्वारा धाम बनना को मुक्ति किया जाता है कि यदि किसी व्यक्ति को उस नाम रहनी चाहिए याई एमराज हो तो यह अनात्मत्व/का मत नाशनी 16-5-2006 को सुबह 10.00 बजे हाजीर होकर धारी आर्गन देश का सकता है परन्तु गैर-हाजीर को सुन के एक एमराज का विग्राहो अमन मे याई आगनी तथा नम रहनी के वादेन धारिक करि जायेंगे।

यह उपचार मेरु स्तम्भ व मोटर मे प्राप्त निष्कर्ष 12-4-2000 को जारी हुआ।

पंद्रह ।

प्रकाश नाथ शर्मा,  
नाथ नरसीमद्वार एवं महाशय समाज,  
इलीय ब्लॉक, बारा बिक्रम, बिन्ना काठडा,  
हिमाचल प्रदेश

विषय कण्ठहार खाद्यन गुणकारी मनासी ।

श्री गणेशाय नमः अथवा पृष्ठ १०१

पार्षदा-पत्र के भाग १३ (१) जगन्नाथ मठ मन्त्रीकरण समितिनाम,  
१९८९.

श्री गंगा सिद्ध गंगाधर श्री बलीप सिंह, निवासी कवियाल, मोना लखन, उन्नावहरीक द्वारा कथित, जिला काँगड़ा (हि० प०) ने प्रार्थना-पत्र दिया है कि उसके यही वंशीय पुत्र गंगधर श्री निवासी लख ना कथन पिताक 1-1-1978 को हुआ है परन्तु प्रमाणानुसार उनकी कथन सिद्ध गंगाधर गंगाधर जगन्नाथ लख ने रिकार्ड में दर्जकथन नहीं है।

[illegible]

प्राज विनिक 12-1-2008 को मेरे हस्ताक्षर व मोहर प्रामाण्य से जारी हुआ।

मोहर ।

हस्ताक्षर/-  
कार्यकारी महाप्रिन्सि,  
उप-प्रधान महारक्षिका  
जिला मीठा, हिमाचल प्रदेश ।

ब्रह्मात्मन श्री पराशर नमः आजीव, मायस-तहसीलदार एवं कागजारी  
खण्डाधिकारी, गानमूर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं० : 28/NT 1/06 तारीख पेजी : 15-5-2006

श्री अन्तरिक्ष मित्र      इनाम      सर्वगाथा गण गण याम जनता

प्राचिन-पत्र पत्रिका भाग १३ (३) नवम् एवं मन्थु पत्रिका  
पत्रिका, १९८९

श्री धामारा महि मयूक श्री जान महि. नितामो महात्म माहत्म,  
मौत्रा माननू, नहयोव पावमयूर, जिता बांगडा, हिमाचन प्रदेश मे  
इय काठिय मे प्राचीन गख पिडा है। ता उसकी नहकी कथाता  
देवी का जन्म दिनक 15-3-2002 का हया है मयग ग्राम  
पंचायत मानन के धामलेख मे वर्ण नहीं है।

पत. डम दशहरा हवा द्वारा गर्भसाधारण को मचित किया जाता है कि यह डम बारे किसी व्यक्ति को कोई उजर या एमराज होतो वह विनोद 15-5-2006 को मुह 10.00 बजे प्रगालनन व नालनन हाजिर प्रदासन धाकर प्रसून कर सकता है । बाद मुजरने मियाद काई भी उजर व एमराज कालिने गमासन न होया नया कलना देवी पुत्री श्री प्रननर मिह की जन्म तिथि 15-3-2002 के पंचाकरण प्राडन मअडमिन पंचासन को पारगन कर दिने जायमे ।

आज दिनांक 13-4-2006 का हमारा हमनाभर व मोहर प्रत्याग  
म जारी रहा ।

मोहर

प्रकाश स्वयं साक्षात्,  
नाम तन्मोक्षद्वार एव कार्यकारी वृत्ताधिकारी,  
वासुदेव, जित्वा विजित्वा, हिमन्त प्रवेश ।

ब प्रदान श्री प्रकाश चन्द्र घाताह नायब महसूलदार एवं कार्यकारी  
मण्डलिकारी, गानधार, जिला कांगडा हिमाचल प्रदेश

केस नं० 29/NT-1/96 तारीख पानी 15-5-2006

निमग्नः श्वशी                      कः । म                      मन्त्रमध्याः श्वश्वः पः म तनना ।

ब्राह्मना-ग्रन्थ संपादन आयोग १.१ (३) तम एवं मध्य, पञ्जीकरण  
प्रक्रियाम, १९६५

श्रीमती निमा देवी पत्नी श्री हाणिधर सिंह, निवासी मुहल पत्थर, मोहा पत्थर, महलीय मानाली, जिला कांगडा, हिमाचल प्रदेश ने इस कापीलय में धारणा-पत्र दिया है कि उसके लक्षके प्रतीक सिंह का जन्म दिनांक 28-10-2000 को हुआ है मगर धाम पंचायत मुखर के अधिनियम में दर्ज नहीं है।

अतः हम इन्हें हटाने का सुनिश्चित किया जाता है कि यदि इस बारे में किसी को कोई उतर या एतराज हो तो वह दिनांक 18-5-2008 को सुबह 10:00 बजे धामपालन या न्यायपालन हाजिर धामपालन अधिकार प्रस्तुत कर सकता है। बाद में यदि कोई भी उतर या एतराज दाखिल होगा तो होगा तथा प्रतीक सिंह पत्नी श्री हाणिधर सिंह को जन्म तिथि 28-10-2000 के पंजीकरण आदेश महलीय पंचायत का पालन कर दिया जाएगा।

आज दिनांक 13-4-2008 को हमारे इन्फार्मर व मोहर धामपालन द्वारा जारी हुआ।

मोहर।

प्रमाण-पत्र आदेश,  
नाथ महलीयधर एवं कार्यकारी वरिष्ठ अधिकारी,  
पालमपुर, जिला कांगडा, हिमाचल प्रदेश।

व धामपालन श्री धर्म सिंह ठाकुर, नाथ महलीयधर एवं महलीय गमाहती विनाय श्रेणी, उप-महलीय मुखर, जिला कांगडा, हिमाचल प्रदेश

मुहल वरुणी नाम नं० 1/2008, जारीय पत्रा 12-5-2008

श्री गणेश राज उपनाम धनोक राज रमा पत्नी श्री रिखा राम, निवासी मुहल गाई, उप-महलीय मुखर, जिला कांगडा, हिमाचल प्रदेश प्रार्थी।

बनाम

धाम जनता

श्री धनोक राज उपनाम धनोक रमा, निवासी मुहल गाई, मोहा व उप-महलीय मुखर, जिला कांगडा, हिमाचल प्रदेश ने धामपालन में प्रार्थना पत्र मध्य स्थान हस्ताक्षर पत्र किया है कि उसका नाम राजेश व पंचायत अधिलेख धाम पंचायत धामपालन, उप-महलीय मुखर, जिला कांगडा में गत वर्ष हुआ है। नाम की वरुणी राजेश अधिलेख व पंचायत अधिलेख में दर्ज करने का आदेश पारित किया जावे।

अतः हम इन्हें हटाने का सुनिश्चित किया जाता है कि यदि किसी व्यक्ति को कोई उतर एवं एतराज प्रार्थी का राजेश अधिलेख व पंचायत अधिलेख में धनोक राज उपनाम धनोक रमा पत्नी श्री रिखा राम किये जाने बारे किसी व्यक्ति को हो तो वह तारीख देनी 12-5-2008 को धामपालन या न्यायपालन पत्र कर सकता है। बाद तारीख देनी किसी किस्म का उतर एवं एतराज नहीं मना जावेगा व नाम वरुणी का आदेश पारित कर दिया जावेगा।

यह इन्हें हटाने पर इन्फार्मर व मोहर धामपालन में आज दिनांक 12-4-2008 को जारी हुआ।

मोहर।

प्रमाण-पत्र सिंह ठाकुर,  
महायक गमाहती द्वितीय श्रेणी,  
उप-महलीय मुखर, जिला कांगडा, हिमाचल प्रदेश।

व धामपालन श्री इन्द्र सिंह भारद्वाज (एच०एच०एम०), उप-महलीय मैत्रिस्ट, मनाली, जिला कुल्लू, हिमाचल प्रदेश

श्रीमती निमा देवी पत्नी धर्मवीर श्री कुन्धन लाल, निवासी मनाली, बकपूर श्रियाल, महलीय मनाली, जिला कुल्लू (हि०प्र०)।

बनाम

धाम जनता

व धामपालन धाम नाम की निज करने बारे।

श्रीमती निमा देवी पत्नी धर्मवीर श्री कुन्धन लाल, निवासी मनाली, बकपूर श्रियाल, महलीय मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस कापीलय में धारणा-पत्र पत्र किया है कि उसका नाम उसके पत्र न-ग धामपालन में धारणा देवी व परिहार रजिस्ट्रार धामपालन में निमा देवी लिखा गया है जो कि गलती है अतः धर्म देवी में बदलकर निमा देवी दर्ज कर दिया जाए।

अतः हम धामपालन इन्हें हटाने का सुनिश्चित किया जाता है कि उतर प्रार्थी के नाम की यदि वे किसी को किसी प्रकार का कोई एतराज हो तो वह दिनांक 17-5-2008 को या इससे पूर्व इस न्यायपालन में हाजिर होकर अपना एतराज पत्र कर सकता है धारणा उतर प्रार्थी के नाम धर्म देवी, आदेश जारी कर दिया जाएगा।

आज दिनांक 18-4-2008 को मेरे इन्फार्मर व मोहर धामपालन द्वारा जारी हुआ।

मोहर।

इन्द्र सिंह भारद्वाज,  
उप-महलीय मैत्रिस्ट, मनाली,  
जिला कुल्लू (हि०प्र०)।

व धामपालन श्री इन्द्र सिंह भारद्वाज (एच०एच०एम०), उप-महलीय मैत्रिस्ट, मनाली, जिला कुल्लू, हिमाचल प्रदेश

Miss Tenzin Tsekyi d/o Sh Tsemphel, r/o Gompa Road Manali, Tehsil Manali

बनाम

धाम जनता

विषय: प्रमाणित इन्हें हटाने का सुनिश्चित किया जाए धामपालन 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969

नोटिस बनाम धाम जनता।

Miss Tenzin Tsekyi पत्नी श्री Tsemphel, निवासी गोम्पा रोड मनाली, महलीय मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायपालन में धारणा-पत्र मध्य धामपालन पत्रांतरा है कि उसका जन्म दिनांक 28-3-1981 को हुआ है परन्तु उसकी जन्म तिथि नगर पंचायत मनाली के रिकार्ड में दर्ज नहीं है। तब से धर्म देवी करने के आदेश पारित किया जावे।

अतः हम धारणा-पत्र को इस इन्हें हटाने का सुनिश्चित किया जाता है कि यदि किसी व्यक्ति को Tenzin Tsekyi की जन्म तिथि दर्ज करने बारे प्रार्थना हो तो वह दिनांक 17-5-2008 को या इससे पूर्व धामपालन द्वारा मेरे धारणा प्रार्थी दर्ज करवा सकता है। इसके उपरान्त कोई भी उतर/एतराज धामपालन न होना तथा निमापालन जन्म तिथि दर्ज करने के आदेश पारित कर दिया जाएगा।

आज दिनांक 18-4-2008 को मेरे इन्फार्मर व मोहर धामपालन द्वारा जारी हुआ।

मोहर।

इन्द्र सिंह भारद्वाज,  
उप-महलीय मैत्रिस्ट, मनाली,  
जिला कुल्लू, हिमाचल प्रदेश।

व धामपालन श्री इन्द्र सिंह भारद्वाज (एच०एच०एम०), उप-महलीय मैत्रिस्ट, मनाली, जिला कुल्लू, हिमाचल प्रदेश

Sh Penia Tsetan s/o Sh. Rigyal Chering, r/o Gompa Road Manali, Tehsil Manali, District Kullu (H P).

बनाम

धाम जनता

विषय.—प्रकाशन इस्तहार बाबत जन्म तिथि पंजीकरण जेर द्वारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

Sh. Pema Tsetan पुत्र श्री Rigyal Chering, निवासी गोम्पा रोड मनाली, तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय में आवेदन-पत्र मय शपथ-पत्र गुजारा है कि उसकी पुत्री दिनांक 7-8-2001 को पैदा हुई है परन्तु उसकी जन्म तिथि नगर पंचायत मनाली के रिकार्ड में दर्ज न की गई है । जिसे अब दर्ज करवाने के आदेश दिए जावें ।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को Tsering Dolma की जन्म तिथि दर्ज करवाने बारे कोई आपत्ति हो तो वह दिनांक 17-5-2006 को या इससे पूर्व प्रदालत हजा में अपनी आपत्ति दर्ज करवा सकता है । इसके उपरान्त कोई भी उजर/एनराज ममायत न होगा तथा नियमानुसार जन्म तिथि दर्ज करवाने के आदेश पारित कर दिए जाएंगे ।

प्राज दिनांक 18-4-2006 को मेरे हस्ताक्षर व मोहर प्रदालत द्वारा जारी हुआ ।

मोहर ।

इन्द्र सिंह भारद्वाज,  
उप-मण्डल मैजिस्ट्रेट, मनाली,  
जिला कुल्लू, हिमाचल प्रदेश ।

ब अदालत श्री इन्द्र सिंह भारद्वाज (एच0 ए0 एस0) उप-मण्डल मैजिस्ट्रेट, मनाली, जिला कुल्लू, हिमाचल प्रदेश

Sh. Pema Tsetan s/o Sh. Rigyal Chering,  
r/o Gompa Road Manali, Tehsil Manali,  
District Kullu (H. P.).

बनाम

ग्राम जनता

विषय.—प्रकाशन इस्तहार बाबत जन्म तिथि पंजीकरण जेर द्वारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

Sh. Pema Tsetan पुत्र श्री Rigyal Chering, निवासी गोम्पा रोड मनाली, तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय में आवेदन-पत्र मय शपथ-पत्र गुजारा है कि उसकी पुत्री दिनांक 2-12-1998 को पैदा हुई है परन्तु उसकी जन्म तिथि नगर पंचायत मनाली के रिकार्ड में दर्ज न की गई है । जिसे अब दर्ज करवाने के आदेश दिए जावें ।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को Yeshe Dolma की जन्म तिथि दर्ज करवाने बारे आपत्ति हो तो वह दिनांक 17-5-2006 को या इससे पूर्व अदालत हजा में अपनी आपत्ति दर्ज करवा सकता है । इसके उपरान्त कोई भी उजर व एनराज ममायत न होगा तथा नियमानुसार जन्म तिथि दर्ज करवाने के आदेश पारित कर दिये जाएंगे ।

प्राज दिनांक 18-4-2006 को मेरे हस्ताक्षर व मोहर प्रदालत द्वारा जारी हुआ ।

मोहर ।

इन्द्र सिंह भारद्वाज,  
उप-मण्डल मैजिस्ट्रेट,  
मनाली, जिला कुल्लू (हि0 प्र0) ।

ब अदालत श्री इन्द्र सिंह भारद्वाज (एच0 ए0 एस0), उप-मण्डल मैजिस्ट्रेट, मनाली, जिला कुल्लू (हि0 प्र0)

Sh. Pema Tsetan s/o Sh. Rigyal Chering,  
r/o Gompa Road, Manali, Tehsil Manali,  
District Kullu (H. P.).

बनाम

ग्राम जनता

विषय.—प्रकाशन इस्तहार बाबत जन्म तिथि पंजीकरण जेर द्वारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

Sh. Pema Tsetan पुत्र Sh. Rigyal Chering, निवासी गोम्पा रोड, मनाली, तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय में आवेदन-पत्र मय शपथ-पत्र गुजारा है कि उसकी पुत्री दिनांक 30-7-1998 को पैदा हुई है परन्तु उसकी जन्म तिथि नगर पंचायत मनाली के रिकार्ड में दर्ज न की गई है । जिसे अब दर्ज करवाने के आदेश दिये जावें ।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को Kunchok Dolma की जन्म तिथि दर्ज करवाने बारे आपत्ति हो तो वह दिनांक 17-5-2006 को या इससे पूर्व प्रदालत हजा में अपनी आपत्ति दर्ज करवा सकता है । इसके उपरान्त कोई भी उजर व एनराज ममायत न होगा तथा नियमानुसार जन्म तिथि दर्ज करवाने के आदेश पारित कर दिए जाएंगे ।

प्राज दिनांक 18-4-2006 को मेरे हस्ताक्षर व मोहर प्रदालत द्वारा जारी हुआ ।

मोहर ।

इन्द्र सिंह भारद्वाज,  
उप-मण्डल मैजिस्ट्रेट, मनाली,  
जिला कुल्लू, हिमाचल प्रदेश ।

ब अदालत श्री इन्द्र सिंह भारद्वाज (एच0 ए0 एस0), उप-मण्डल मैजिस्ट्रेट, मनाली, जिला कुल्लू, हिमाचल प्रदेश

Sh. Pema Chetan s/o Sh. Rigyal Chering, r/o Gompa Road, Manali, Tehsil Manali, District Kullu (H. P.)

बनाम

ग्राम जनता

विषय.—प्रकाशन इस्तहार बाबत जन्म तिथि पंजीकरण जेर द्वारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता ।

Sh. Pema Chetan s/o Sh. Rigyal Chering, निवासी गोम्पा रोड मनाली, तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय में आवेदन-पत्र मय शपथ-पत्र गुजारा है कि उसका पुत्र दिनांक 22-5-2003 को पैदा हुआ है परन्तु उसकी जन्म तिथि नगर पंचायत मनाली के रिकार्ड में दर्ज न की गई है । जिसे अब दर्ज करवाने के आदेश दिये जावें ।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को Karma Chomphel की जन्म तिथि दर्ज करवाने बारे आपत्ति हो तो वह दिनांक 17-5-2006 को या इससे पूर्व प्रदालत हजा में अपनी आपत्ति दर्ज करवा सकता है । इसके उपरान्त कोई भी उजर/एनराज ममायत न होगा तथा नियमानुसार जन्म तिथि दर्ज करवाने के आदेश पारित कर दिये जाएंगे ।

आज दिनांक 18-4-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

इन्द्र सिंह भारद्वाज,  
उप-मण्डल मैजिस्ट्रेट, मनाली,  
जिला कुल्लू, हिमाचल प्रदेश।

य अदालत श्री इन्द्र सिंह भारद्वाज (एचओ एओएमओ), उप-मण्डल मैजिस्ट्रेट, मनाली, जिला कुल्लू, हिमाचल प्रदेश

Sh. Samga s/o Sh Namga, r/o H. No. 27, Ward No 7, Gompa Road Manali, Tehsil Manali, District Kullu (H P).

बनम

ग्राम जनता

विषय—प्रकाशन इन्हार बाबत जन्म तिथि पंजीकरण जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

Sh. Samga पुत्र Sh. Namga, निवासी H. No. 27, Ward No 7, गोम्पा रोड मनाली, तहसील मनाली, जिला कुल्लू, हिमाचल प्रदेश ने इस न्यायालय में आवेदन-पत्र मय जपथ-पत्र गुजारा है कि उसकी पत्नी दिनांक 1-3-1988 को पैदा हुई है परन्तु उसकी जन्म तिथि नगर पंचायत मनाली के रिकार्ड में दर्ज न की गई है। जिसे अब दर्ज करवाने के आदेश दिये जाते।

अतः सर्वसाधारण को इस इन्हार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को Dawa Dolma की जन्म तिथि दर्ज करवाने बारे आपत्ति हो तो वह दिनांक 17-5-2006 को या इससे पूर्व अदालत हजा में अपनी आपत्ति दर्ज करवा सकता है। इसके उपरान्त कोई भी उजर/एतगज समाप्त न होगा तथा नियमानुसार जन्म तिथि दर्ज करवाने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 18-4-2006 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

इन्द्र सिंह भारद्वाज,  
उप-मण्डल मैजिस्ट्रेट, मनाली,  
जिला कुल्लू, हिमाचल प्रदेश।

In the Court of Sh. B. S. Dehal, Marriage Officer-cum-Sub-Divisional Magistrate, Sadar Sub Division Mandi, District Mandi (H P.)

In the matter of:—

1. Sh. Pranav Chandel s/o Sh. Shiv Kumar Chandel, r/o Village and P. O. Ner Chowk, Tehsil Sadar, District Mandi, Himachal Pradesh.
2. Smt. Shalika Chandel d/o Shri H. S. Sen, r/o H. No. 48/5, Hari Puri Colony, Sundernagar, District Mandi, Himachal Pradesh

.. Applicants.

Versus

General public

Subject.—Application for the registration of Marriage under Special Marriage Act, 1954.

Sh. Pranav Chandel and Smt. Shalika Chandel have filed an application alongwith affidavits in the court of undersigned under section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 10-8-2005 at Village and P. O. Ner Chowk, Tehsil Sadar, District Mandi, Himachal Pradesh and they are living together as husband and wife since then, hence

their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 16-5-2006 after that no objection will be entertained and marriage will be registered.

Issued on 19th April, 2006 under my hand and seal of the court.

Seal.

B. S. DEHAL,  
Marriage Officer-cum-Sub-Divisional Magistrate,  
Sadar Sub-Division Mandi,  
Himachal Pradesh.

न्यायालय कार्यकारी दण्डाधिकारी, सरकाषाट, जिला मण्डी, हिमाचल प्रदेश

मुकद्दमा शीर्षक :

श्री बनदेव सिंह पुत्र श्री बालक राम, निवासी चेन, डाकघर रोपड़ी, तहसील सरकाषाट, जिला मण्डी (हि० प्र०) ... प्रार्थी।

बनाम

ग्राम जनता

... करीबदोयम।

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

उपरोक्त प्रार्थी श्री बलदेव सिंह ने इस न्यायालय में प्रार्थना-पत्र अधीन धारा 13(3) पेश किया है कि उसकी मां श्रीमती भागवत देवी विधवा श्री पंजका, निवासी चेन की दिनांक 15-11-2005 को मृत्यु हो गई थी जिसे पंचायत रिक्काई में दर्ज नहीं कराया गया है।

अतः ग्राम जनता को इस इन्हार द्वारा सूचित किया जाता है कि उक्त तिथि पंचायत रिकार्ड में दर्ज होने वाले किसी का कोई उजर या एतगज हो तो वह दिनांक 15-5-2006 को प्रातः 10.00 बजे इस न्यायालय में प्रस्तुत करे अन्यथा उक्त तिथि दर्ज करने के आदेश जारी कर दिए जायेंगे।

आज दिनांक 12-4-2006 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/-  
कार्यकारी दण्डाधिकारी,  
सरकाषाट, जिला मण्डी (हि० प्र०)।

न्यायालय श्री नूदामणी, उप-पञ्जीकाछस, सरकाषाट, जिला मण्डी, हिमाचल प्रदेश

मुकद्दमा शीर्षक :

सर्वश्री कृष्ण दयाल पुत्र गोकल, बनबौर सिंह, पवन कुमार पुत्र बरनी राम, निवासी गांव कांगो-का-गहुरा, ईलाका घननपुर, तहसील सरकाषाट, जिला मण्डी (हि० प्र०) ... प्रार्थी।

बनाम

ग्राम जनता

... करीबदोयम।

प्रार्थना-पत्र बाबत किए जाने पंजीकृत बसीधननामा अधीन धारा 40 तथा 41.

उपरोक्त प्रार्थीगणों ने इस न्यायालय में प्रार्थना-पत्र बगए पंजीकृत बसीधननामा जो मतोही मन्तु पुत्र गोकल, निवासी कांगो-का-गहुरा ने उनके नाम सहित करवाया है, पेश किया है। बसीधननामा दिनांक 15-2-2006 को स्वर्ग मिथार चुका है।

धन: करीबदोसम घाम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त बसीयत पंजीयन होने में कोई आपत्ति हो तो वह दिनांक 12-5-2006 का या इससे पूर्व इस न्यायालय में पेश करे। अनुपस्थिति की सूचना में कार्यवाही एक पक्षीय प्रमन में लाई जावेगी।

आज दिनांक 12-4-2006 को मेरे हस्ताक्षर व मोहर अदायत से जारी हुआ।

मोहर। चूडामणी,  
उप-पंजीकाध्यक्ष,  
सरकाषाट, जिला मण्डी (हि० प्र०)।

न्यायालय श्री चूडामणी, महायक समाहर्ता द्वितीय श्रेणी, सरकाषाट,  
जिला मण्डी, हिमाचल प्रदेश

मुकद्दमा शीर्षक :

श्री रतन चन्द पुत्र श्री भगत राम, निवासी बडरेसा, डाकघर  
बाग, तहसील सरकाषाट, जिला मण्डी (हि० प्र०) प्राप्ति।

बनाम

घाम जनता करीबदोसम।

प्रार्थना पत्र दस्तवी नाम, मुहाल बैरी/बडरेसा।

प्राप्ति श्री रतन चन्द पुत्र श्री भगत राम, निवासी बडरेसा, ने इस न्यायालय में प्रार्थना-पत्र पेश किया है कि उसका मही नाम रतन चन्द है जो स्कूल तथा सविम रिकार्ड में सही दर्ज है परन्तु राजस्व रिकार्ड मुहाल बैरी/बडरेसा में यह गलती से फागण दर्ज हुआ है।

धन: आम जनता को बजरिया इशतहार सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त नाम दस्तवी बारे कोई एतराज हो तो वह दिनांक 12-5-2006 या इससे पूर्व इस न्यायालय में पेश करे। अनुपस्थिति की सूचना में कार्यवाही एकपक्षीय प्रमन में लाई जाएगी।

मेरे हस्ताक्षर व मोहर अदायत से आज दिनांक 12-4-2006 को जारी हुआ।

मोहर। चूडामणी,  
महायक समाहर्ता द्वितीय श्रेणी,  
सरकाषाट, जिला मण्डी (हि० प्र०)।

BEFORE THE HON'BLE HIGH COURT OF  
HIMACHAL PRADESH AT SHIMLA

ORDINARY ORIGINAL CIVIL JURISDICTION  
COMPANY PETITION NO. 5 OF 2006

In the matter of Companies Act, 1956 (1 of 1956)

And

In the matter of Section 391 & 394 of the Companies  
Act, 1956.

And

In the matter of Scheme of Amalgamation of  
Shivalik Hatcheries Private Limited with Venkatesh-  
wara Hatcheries Private Limited a Company incorpo-  
rated under the provisions of Companies Act, 1956  
having its registered office at Venkateshwara House,  
H. No. 3-5-808 & 808/1, Hyderguda, Hyderabad  
500 054.

Shivalik Hatcheries Private Limited, a Company  
Incorporated under the provisions of Companies,  
Act, 1956 having its registered office at Village Pater  
Bhanku, P.O. Panjhora, Tehsil Nalagarh, District  
Solan in the State of Himachal Pradesh. ... Applicant.

A Petition under Section 394 of the Companies Act, 1956 for Sanctioning the Scheme of Amalgamation of Shivalik Hatcheries Private Limited, the Petitioner Company with Venkateshwara Hatcheries Private Limited, the Transferee Company, was presented by the Petitioner Company on 1st day of April, 2006 and the same has been admitted on 7th day of April, 2006. The said Petition is fixed for hearing before the Company Judge on 29th day of May, 2006 at 11 O'clock in the forenoon.

Any person desirous of supporting or opposing the said Petition should send to the Petitioner's Advocate not later than 4 days before the date of hearing of Petition, where he seeks to oppose the Petition, the grounds of opposing or a copy of the affidavit should be furnished with such notice.

A copy of the Petition will be furnished by the under-  
signed to any person requiring the same on payment of  
proscribed charges for the same.

Sd/- Sd/-  
Assistant Registrar (Judicial) ATUL JHINGAN,  
High Court of H. P. Advocate,  
Shimla. Seal. 75, the Mal Shimla,  
Himachal Pradesh.

Shimla, the 24th April, 2006.

ब अदालत श्री श्री० पी० ठाकुर, सहायक समाहर्ता प्रथम श्रेणी,  
रेणुका जी स्थित संगडाह, जिला सिरमौर (हि० प्र०)

मिसल नं० : 1/04 तारीख मरजुआ : 2-1-2004

धर्म चन्द पुत्र श्री रिखी राम ग्राह, निवासी मोहनू, तहसील रेणुका  
जी, जिला सिरमौर (हि० प्र०) सायलान।

बनाम

सही राम पुत्र पगलु उर्फ जालम, निवासी मोहनू, तहसील रेणुका जी,  
जिला सिरमौर (हि० प्र०) ग्राह फ्रीकसानियान।

दरखास्त तरीका तकसीम भूमि खाता खतौनी नं० 20/31 ता  
39 तादादी 557-4 बीघा बाका रकबा मीजा मोहनू, तहसील  
रेणुका जी, जिला सिरमौर (हि० प्र०)।

उपरोक्त मुकद्दमा तरीका तकसीम भूमि अदालत द्वारा में जेरे  
गोर है तथा त्रिममें, 1. रूप सिंह पुत्र सायक, निवासी बावनल,  
तहसील रेणुका जी, 2. कुन्दन सिंह, नैनसिंह पुत्रान केहर, निवासी  
बावनल, 3. बैला राम, दया राम, भगवान सिंह पुत्रान सगना, निवासी  
बावनल, 4. जीत राम पुत्र कुशन सिंह, निवासी बावनल, 5. श्याम  
चन्द पुत्र रिखी राम, निवासी ददाहू (फौत) जायज वारिस प्रेमदत्त  
पुत्र श्याम चन्द, निवासी ददाहू, श्याम प्रकाश, रमेश पुत्रान श्याम चन्द,  
निवासी चव्याना/ददाहू, 6. पूर्ण चन्द, कुलानन्द पुत्रान उदय राम,  
निवासी मोहनू, 7. भञ्ज पुत्र चान्दनू (फौत), निवासी रजाना  
जायज वारिस महेन्द्र सिंह पुत्र, जमनी विधवा व सत्या पुत्री  
भञ्ज. निवासी रजाना/गनोग, 8. जागर सिंह पुत्र बली राम  
निवासी शामरा हाल निवासी लोहारा टिकरी, तहसील रेणुकाजी,  
अनगो पुत्री बली राम, निवासी शामरा, 9. राजेन्द्र सिंह पुत्र सुरत  
राम, निवासी लोहारा टिकरी, 10. रतन सिंह पुत्र चादरू (फौत),  
जायज वारिस जाजी देवी विधवा, कुमारी गोता पुत्री रतन सिंह,  
निवासी रजाना, तहसील रेणुका जी, 11. श्याम पुत्री रतन सिंह, निवासी  
अनग. तहसील रेणुकाजी, 12. धर्म मजनों, मुन्नी पुत्रिया बस्ती  
राम, निवासी शामरा/उंगरगण्डो, तहसील रेणुकाजी, 13. जगू पुत्र  
अमर सिंह, निवासी अजरी, तहसील रेणुकाजी, 14. नारदा, शारदा,  
मधुशाना पुत्रिया राम दाम, निवासी मोहनू, 15. पदमा, लक्ष्मी, तारी  
पुत्रिया धोंकया, निवासी चांदनी/हालपलारा/कालरिया, 16. रामदत्त  
पुत्र सायक, निवासी मोहनू, तहसील रेणुकाजी, जिला सिरमौर,  
हिमाचल प्रदेश को फ्रीकसानियान बताया गया है। अदालत द्वारा  
बार-बार समन जारी करते पर भी इन्हें तामील नहीं हो रही है  
जिसमें अदालत को पूरा यकीन हो चका है कि उन्हें अब साधारण  
तरीक से तामील नहीं करवाई जा सकती।



अतः इस अदालती इस्तहार के माध्यम से फरीकमानियान उपरोक्त को सूचित किया जाता है कि वे अगर मुकद्मा उपरोक्त तरीका तत्सीम में अपना उजर/एतराज पेश करना चाहें तो वह दिनांक 15-5-2006 को अमानत/वकालत अदालत में हाजिर आकर अपना उजर/एतराज पेश कर सकते हैं। बाद गुजरने के बाद कोई कार्यवाही काबले गमायत न होगी तथा नियमानुसार एक पक्षीय कार्यवाही अमल में लाई जायेगी।

आज दिनांक 20-4-2006 को हमारे हुस्ताअर व मोहर अदालत में जारी किया गया।

मोहर।  
श्री 0 पी 0 ठाकुर,  
सहायक सदाशती प्रथम श्रेणी,  
रेणुका जी स्थित संगरहाट, जिला मिरमोर,  
हिमाचल प्रदेश।

व अदालत श्री जी 0 एम 0 चोपड़ा, कार्यकारी दण्डाधिकारी, पांवटा माहिब, जिला मिरमोर (हि 0 प्र 0)

श्री रघुबीर चन्द पुत्र श्री मृगत चन्द शर्मा, निवासी माजगा, तहसील पांवटा माहिब, जिला मिरमोर (हि 0 प्र 0)।

बनाम  
ग्राम जनता

उपरोक्त प्रार्थना-पत्र श्री रघुबीर चन्द पुत्र श्री मृगत चन्द शर्मा, निवासी माजगा, तहसील पांवटा माहिब, जिला मिरमोर (हि 0 प्र 0) ने अधिन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत प्रस्तुत करके प्रार्थना की है कि उनकी माता श्रीमती गीता देवी जिनकी मृत्यु तिथि 22-10-2003 है, की मृत्यु तिथि ग्राम पंचायत माजगा के रिकार्ड में दर्ज नहीं करवाई गई है। जिसे प्रार्थी अब दर्ज करवाना चाहता है।

अतः सर्वसाधारण को इस इस्तहार द्वारा सूचित किया जाता है कि इस सम्बन्ध में यदि किसी व्यक्ति को कोई उजर या एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि द्वारा मिति 17-5-2006 को प्रातः 10.00 बजे इस अदालत में उपस्थित आकर प्रस्तुत करे, बमर्त दीगर श्रीमती सीता देवी पत्नी श्री मृगत चन्द शर्मा की मृत्यु तिथि 22-10-2003 को दर्ज करने के आदेश जारी कर दिए जाएंगे।

आज दिनांक 17-4-2006 को मेरे हुस्ताअर व मोहर अदालत द्वारा जारी हुआ।

मोहर।  
जी 0 एम 0 चोपड़ा,  
कार्यकारी दण्डाधिकारी,  
पांवटा माहिब, जिला मिरमोर (हि 0 प्र 0)।

व अदालत श्री रोहित जमवाल, उप-मण्डल मैजिस्ट्रेट प्रकी, जिला मोलन, हिमाचल प्रदेश

श्री देवी चन्द सपुत्र श्री मस्त राम, निवासी ग्राम खाजला, हाकसर दानोघाट, तहसील प्रकी, जिला मोलन, हिमाचल प्रदेश।

बनाम  
ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

प्रार्थी उपरोक्त ने इस अदालत में प्रार्थना-पत्र दिया है कि उसकी लड़की उमा कुमार का जन्म दिनांक 16-10-2000 को हुआ था लेकिन ग्राम पंचायत के अभिलेख में उसका नाम व जन्म तिथि दर्ज नहीं है। अब दर्ज किये जाने के आदेश जारी किये जायें।

अतः इस इस्तहार राजपत्र, हिमाचल प्रदेश द्वारा ग्राम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को

कोई उजर व एतराज हो तो वह दिनांक 17-5-2006 को प्रातः 10.00 बजे अमानत या वकालत उपस्थित आकर प्रस्तुत कर सकते हैं। बाद गुजरने के बाद कोई भी उजर या एतराज गमायत न होगा तथा उमा कुमारी की जन्म तिथि पंचायत अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 17-4-2006 को हमारे हुस्ताअर व मोहर अदालत में जारी हुआ।

मोहर।  
रोहित जमवाल,  
उप-मण्डल मैजिस्ट्रेट,  
प्रकी, जिला मोलन, हिमाचल प्रदेश।

व अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, जिला ऊना (हि 0 प्र 0)

व मुकद्मा : जन्म प्रमाण-पत्र।

रजनी देवी बनाम ग्राम जनता

दख्खान्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्रीमती रजनी देवी पत्नी श्री जतिन्द कुमार, निवासी गांव जलघा टब्बा, तहसील व जिला ऊना ने इस न्यायालय में दख्खान्त दी है कि उसके पुत्र राजविन्द मिश्र का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे। उसके पुत्र का नाम राजविन्द मिश्र है, जन्म तिथि 6-10-2003 तथा बच्चे का जन्म स्थान जलघा टब्बा है।

अतः इस नोटिस के माध्यम से सम्स्त जनता तथा सम्बन्धी रिजिस्ट्रारों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे का नाम दर्ज होने में कोई आपत्ति हो तो वह दिनांक 15-5-2006 को प्रातः 10.00 बजे स्वयं अथवा अमानत या वकालत इस अदालत में हाजिर आकर पेश कर सकते हैं अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश दे दिए जाएंगे।

आज दिनांक 2-5-2006 को हुस्ताअर मेरे व मोहर अदालत द्वारा जारी किया गया।

मोहर।  
हुस्ताअर/-  
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
ऊना, जिला ऊना, हिमाचल प्रदेश।

व अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, जिला ऊना, हिमाचल प्रदेश

व मुकद्मा : जन्म तिथि प्रमाण-पत्र।

बालकिशन बनाम ग्राम जनता

दख्खान्त जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्री बालकिशन पुत्र श्री बेली राम, निवासी गांव रायपुर, तहसील व जिला ऊना ने इस न्यायालय में दख्खान्त दी है कि उसके पुत्र अक्षय राणा का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जावे। उसके पुत्र का नाम अक्षय राणा है, जन्म तिथि 25-5-2000 है तथा बच्चे का जन्म स्थान रायपुर है।

अतः इस नोटिस के माध्यम से सम्स्त जनता तथा सम्बन्धी रिजिस्ट्रारों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे का नाम दर्ज होने में कोई आपत्ति हो तो वह दिनांक

15-5-2006 को प्रातः दस बजे स्वयं अथवा अधालतन या बकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश दे दिये जाएंगे।

आज दिनांक 12-4-2006 को हस्ताक्षर मेरे व मोहर अदालत द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/-

नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
ऊना, जिला ऊना (हि० प्र०)।

ब अदालत नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, तहसील  
व जिला ऊना, हिमाचल प्रदेश

श्रीमती दनीषा

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण  
प्रधिनियम, 1969.

नोटिस बनाम ग्राम जनता।

श्रीमती दनीषा पत्नी श्री नरिन्द्र कुमार, निवासी गांव रायसरी, तहसील ऊना, जिला ऊना ने इस न्यायालय में दरखास्त दी है कि उसके पुत्र मनीष का नाम पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है। अथ दर्ज करवाया जावे। उसके पुत्र का नाम मनीष है, जन्म तिथि 28-12-2000 तथा बचप का जन्म स्थान गांव बसोली है।

अतः इस नोटिस के माध्यम से समस्त जनता तथा सम्बन्धी रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त बच्चे का नाम दर्ज होने में कोई आपत्ति हो तो वह दिनांक 15-5-2006 को सुबह 10.00 बजे स्वयं अथवा अधालतन या बकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर प्रमाण-पत्र जारी करने के आदेश दे दिए जाएंगे।

आज दिनांक 13-4-2006 को हस्ताक्षर मेरे व मोहर अदालत द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/-

नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,  
ऊना, जिला ऊना (हि० प्र०)।

#### भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

-शून्य-

#### भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

-शून्य-

अनुपूरक

-शून्य-